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Follow-up to the International Year of Older Persons: Second World Assembly on Ageing

Preparations for the Second World Assembly on Ageing

Report of the Secretary-General

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I. Introduction

1. In its resolution 54/262 of 25 May 2000, the General Assembly decided to convene the Second World Assembly on Ageing to coincide with the twentieth anniversary of the first World Assembly on Ageing held in Vienna, Austria, in 1982. Further, in resolution 55/58 of 4 December 2000, the Assembly decided to hold the Second World Assembly on Ageing in Madrid, from 8 to 12 April 2002. The Second World Assembly will focus on an overall review of the outcome of the first World Assembly, as well as the adoption of a revised Plan of Action on Ageing aligned with the sociocultural, economic and demographic realities of the new century, with particular attention to the needs and perspectives of developing countries. In the same resolution, the General Assembly also invited broad participation in the preparatory process for the Second World Assembly including Member States, all relevant organs of the United Nations systems, non-governmental organizations (NGOs) in the field of ageing, as well as research institutions and representatives of the private sector. The present report reviews activities and recent developments related to this preparatory process.

II. Preparatory activities for the Second World Assembly on Ageing

A. Preparatory Committee

2. The General Assembly, in resolution 54/262, decided that the Commission for Social Development should serve as the preparatory committee for the Second World Assembly on Ageing and, as such, should be open to the participation of all Member States of the United Nations, members of specialized agencies and observers, in accordance with the established practice of the General Assembly. In February 2001, the first session of the preparatory committee was convened to discuss substantive and procedural matters regarding the Second World Assembly. The preparatory committee focused its discussions on the format of the Second World Assembly and on the content and structure of the first draft of the revised Plan of Action on Ageing. At that time, the committee took a decision to request the Secretary-General to submit a report on elder abuse, based on existing studies, information and documentation, to its second session in 2002.

3. At its resumed first session on 30 April and 1 May 2001, the committee adopted a decision on the accreditation of NGOs at the World Assembly.[1] The decision outlines the guidelines and requirements for accreditation of NGOs to the World Assembly and its preparatory process, with particular attention to the equitable geographical distribution of participants. The committee also recommended a draft decision for approval by the Economic and Social Council and adoption by the General Assembly on the participation of NGOs in the World Assembly,[2] which would allow representatives accredited to the World Assembly to address the Ad Hoc Committee of the Whole and, given available time, to make statements in the plenary. In addition, the provisional rules of procedure for the Second World Assembly on Ageing[3] were submitted for approval by the Economic and Social Council and adoption by the General Assembly and by the Second World Assembly in Madrid.

4. A draft decision on the United Nations Trust Fund on Ageing[4] was also recommended for approval by the Economic and Social Council and adoption by the General Assembly. It urges Member States and other actors to contribute generously to the Fund, to support preparatory activities for the Second World Assembly on Ageing and, in particular, to facilitate the fullest participation of least developed countries. Funds may also be used to support public information activities to promote the Second World Assembly and its outcomes.

B. Format of the Second World Assembly on Ageing

5. While the major task of the Second World Assembly will be to agree on a revised Plan of Action on Ageing, it is envisaged that several activities involving the broad participation of different actors will shape the format of the Assembly.

6. In accordance with provisional rules of procedure and based on the experience of recent United Nations conferences, the Assembly will organize its work around the plenary and Main Committee (Ad Hoc Committee of the Whole). As discussed in the Preparatory Committee, the plenary will allow for a general exchange of views on the main themes of the

World Assembly while the Main Committee and other working groups will be responsible for preparing the revised International Plan of Action on Ageing for adoption by the plenary.

7. In addition to the political segment, parallel and associated events that will support the World Assembly include: (a) a series of round-table discussions under the sponsorship of the host Government; (b) an NGO Forum to be held in Madrid prior to and during the Assembly; and (c) a research forum to take place in Valencia the week before the Assembly.

Round-table discussions. The round-table initiative is expected to engage the global community in an extensive dialogue on key issues and challenges related to ageing. The main objective of the round tables is to promote extensive dialogue between Governments and major actors and constituencies of civil society. This series of round-table discussions is designed to draw on the expertise and experiences of independent experts, eminent persons and major groups with special interest in ageing. The broad representation at such round tables will reflect a geographical and gender balance of international personalities as well as older persons themselves. The exchange of recommendations on concrete measures, good practices and innovative experiences from this event would be disseminated in order to raise public awareness and media attention to the challenges and opportunities of ageing.

NGO Forum. A valuable input from civil society is expected at the NGO Forum scheduled to take place in Madrid, at the convention centre, Feria de Madrid-IFEMA, from 4 to 9 April 2002. Under the aegis of the Spanish Government, it is anticipated that the NGO Forum will provide an opportunity to strengthen the voices of older persons through the exchange of global ideas and experiences at the local, national and international levels from a civil society perspective. The role of NGOs in advocacy and raising awareness on key issues as well as on the implementation and follow-up actions of the revised Plan is expected to be addressed during this Forum. The meeting of the global community of NGOs is expected to feature discussions and debates on a wide range of issues structured around workshops, round tables and conferences. The summary of ideas from these activities may be presented to the plenary of the Assembly.

In addition, promotional events, information and advocacy campaigns by local, national and international organizations have been planned in order to increase the visibility of issues related to ageing. Exhibits and cultural events will be held to showcase innovative and best practices on ageing.

Valencia Forum. The scientific community will be actively supporting the Second World Assembly on Ageing through the Valencia Forum, to be held in Valencia, Spain, from 1 to 4 April 2002. The meeting will bring together international academics, researchers and professional practitioners of gerontology, geriatric and aged care, as well as representatives from the private sector. The Forum will also be an opportunity to link science with policy and practice.

8. The Valencia Forum is sponsored by the International Association of Gerontology and supported by the Novartis Foundation for Gerontology. Researchers, academics and specialists from the private sector concerned with the science and practice of gerontology, geriatrics and aged care will gather to pool their scientific knowledge, experience and understanding on how best to address the issues of individual and population ageing. In this context, it is anticipated that recommendations formulated at the Forum will contribute to the implementation and follow-up mechanisms of the revised International Plan of Action.

9. The format of the Valencia Forum will revolve around a series of thematic keynote papers, symposia and workshops. Based on the major priority issues identified in the United Nations Research Agenda on Ageing for the Twenty-First Century, the Forum will address the following themes: (a) ageing frontiers — data, information and research; (b) understanding ageing — knowledge, education and training; (c) responding to ageing — programmes, services and practice; (d) adjusting to ageing — reform of welfare and health systems; (e) impact and contribution of ageing — globalization, development and ageing; (f) players and partners — the roles of government, civil society and the private sector; and (g) embracing ageing — culture, concepts, philosophy, spirituality, art and literature.

C. Revision of the International Plan of Action on Ageing

10. The central task of the Second World Assembly is to adopt a revised International Plan of Action on

Ageing. The United Nations programme on ageing of the Division for Social Policy and Development, acting as the secretariat for the Assembly, has the ultimate responsibility for drafting the revised Plan. In preparing the draft, the secretariat has received important contributions from expert group meetings and panel discussions organized in collaboration with the United Nations system organizations, Governments, NGOs and civil society. The outcome of the three Technical Committee meetings, described below, has played a crucial role in drafting the revised Plan.

11. The Technical Committee was established based on General Assembly resolution 54/262, in which the Secretary-General was invited to establish a technical committee, funded through voluntary contributions, in order to assist him in the formulation of proposals to be submitted during the preparatory process. It is made up of experts who, serving in a personal capacity, come from a cross-section of professional and geographic backgrounds. One of its roles is to advise the United Nations programme on ageing on content of the revised Plan. At the first meeting, held in Frankfurt, discussions focused on the framework and format as well as the development and content of the revised Plan. It was agreed that the organizational framework of the revised Plan would be based on the concept of a society for all ages. Priority directions and priority issues for inclusion in the revised Plan were also identified. In addition, special consideration was given during the meeting to the question of how to ensure that, in the future revised Plan, particular attention will be paid to ageing issues in developing countries.

12. At the second meeting of the Technical Committee, held in the Dominican Republic, committee experts discussed and advised the secretariat on the main part of the revised Plan, specifically in the formulation of objectives and recommendations. At the third meeting, held in Vienna, experts discussed a wide range of issues for inclusion in the revised Plan, reviewed priority issues suggested by the secretariat and elaborated proposals for the monitoring and review of the implementation of the revised Plan.

13. The first draft revised Plan was discussed at the first session of the preparatory committee, which was held in February 2001. The first draft of the revised Plan submitted to the preparatory committee had two parts: the long-term strategy on ageing, as the preamble to the draft Plan of Action; and the main body of the revised Plan. The main body identified three priority directions for policy action: (a) sustaining development in an ageing world; (b) advancing health and well-being into old age; and (c) ensuring enabling and supportive environments for all ages.

14. At the meeting of the preparatory committee, Member States made general comments and forwarded specific suggestions on the structure and format of the revised Plan. Overall, support was expressed for the framework of the draft revised Plan. It was suggested, however, that the revised Plan could be more concise, focused and action-oriented, with particular attention to developing countries. Integrating poverty, human rights and gender issues were emphasized as was the need for a holistic approach to the Plan.

15. Member States were invited to submit additional comments on the draft revised Plan to the secretariat by 25 June 2001. In addition, representatives from the United Nations system organizations and international NGOs presented their comments on the draft Plan. Ongoing consultations with representatives of civil society worldwide also serve as input to the drafting process. For example, at a meeting of leaders of Latin American and Caribbean organizations of older persons, recommendations on issues that should be included in the new Plan of Action were presented and NGO leaders were briefed on the current draft of the Plan and the Madrid process. Furthermore, HelpAge International is cooperating with the United Nations programme on ageing on a project designed to ensure that views and proposals for action of poor older people are incorporated into the global preparations for the Second World Assembly on Ageing. Many of the comments from the preparatory committee meetings, technical input from experts and specific comments and recommendations from Member States and civil society have been incorporated in the updated draft of the revised Plan.

16. The preparatory committee has set the end of August 2001 as the deadline for the United Nations secretariat to the Assembly to complete the drafting of the revised Plan. This will allow time for Member States and the international community to review the draft before the preparatory committee resumes its first session to begin negotiations on the draft Plan at the end of November-beginning of December 2001.

D. United Nations system activities

17. Preparations for the Second World Assembly on Ageing in April 2002 are taking place throughout the United Nations system, including at the regional level. Several regional commissions have planned activities leading up to the Second World Assembly. The Economic and Social Commission for Asia and the Pacific will hold a regional preparatory consultation, to be convened in Macao, China, in September 2001, as well as other regional activities that will help shape the Second World Assembly. The Economic Commission for Europe is preparing for the World Assembly with a three-track approach that will feed into its Ministerial Conference on Ageing in 2002. The approach includes: expert meetings; intergovernmental processes/informal consultations; and the input of civil society. In Africa, the Economic Commission for Africa, in cooperation with academia, is engaged in a survey of older persons.

18. In addition, the United Nations secretariat for the Second World Assembly on Ageing organized and chaired a meeting of United Nations system organizations on 6 and 7 March 2001 to discuss preparations for the World Assembly and opportunities for future collaboration. The following items were discussed: measures to mainstream ageing into international development agendas; ways to upgrade institutional arrangements for addressing issues on ageing within the United Nations system; the contribution of the United Nations system organizations to the process of revision of the International Plan of Action on Ageing; and the participation of United Nations organizations in the Second World Assembly on Ageing in Madrid.

19. In October 2001, an expert group meeting will be held to explore approaches to alleviating urban and rural poverty in old age, especially among older women in developing countries and countries with economies in transition. Recommendations from the meeting will contribute to the process leading to the Second World Assembly. The United Nations Population Fund (UNFPA) will co-sponsor and organize this meeting with the United Nations programme on ageing, together with two NGOs, the American Association of Retired Persons (AARP) and HelpAge International.

20. The Department of Public Information has started its information campaign for the Second World Assembly with the publication of the brochure *Building a Society for all Ages* as well as the unveiling of the logo for the Second World Assembly. In addition to press kits and other printed products, the information campaign will include radio and television, exhibits, and close coordination with the United Nations information centres in order to generate awareness and interest at the national level. The world famous mime, Marcel Marceau, has been designated as the Goodwill Ambassador for the Second World Assembly. At a press conference to celebrate his appointment, Mr. Marceau said that "Ageing should not be seen merely as time or numbers, rather it should be considered a process of learning, through which the contributions of the young, as well as of older persons, may enrich the world".

21. The United Nations programme on ageing published the *World Ageing Situation*,[5] a compilation of studies on global trends and emerging issues on ageing. A section on activities related to the Second World Assembly on Ageing has been added to the web site of the United Nations programme on ageing (www.un.org/desa/socdev/ageing), to highlight the preparatory process. In addition, an Internet-accessible database established by the United Nations programme on ageing provides important information on national policies and programmes on ageing and on the national organizations involved in their development and implementation.

E. Spain: host country of the Second World Assembly on Ageing

22. Spain, the host country of the Second World Assembly on Ageing, is committed to making the Assembly an historic event and to bring ageing into the forefront of global issues of the century. To ensure the success of the Assembly, an organizing committee for the Second World Assembly on Ageing, under Spain's Ministry of Labour and Social Affairs, was established. The main function of the committee is to promote and coordinate preparations leading up to the Assembly and to oversee the success of the Assembly not only as a well-organized event, but also as a focus for promoting the global debate on ageing.

23. The first planning mission between the United Nations delegation and the Spanish organizing committee met in March 2001 to discuss the organizational aspects of convening the Assembly in Madrid, including conference-servicing requirements,

public information activities, security matters, accommodations and other related issues. The team also visited the Municipal Palace of Congresses of Madrid, site of the Assembly, as well as the convention centre, Feria de Madrid-IFEMA, site of the NGO Forum.

24. In order to promote and provide high visibility to the World Assembly, Spain has developed a web site giving information on activities related to the Assembly (www.madrid2002-envejecimiento.org). The site features activities in Spain and will expand its links to web sites of the United Nations system organizations, NGOs and other institutions.

Notes

[1] E/2001/71, chap. I, sect. C, decision 2001/PC/3.

[2] Ibid., chap. I, sect. A, draft decision I; to be adopted by the Economic and Social Council at its substantive session of 2001.

[3] Ibid., draft decision II; to be adopted by the Economic and Social Council at its substantive session of 2001.

[4] Ibid., draft resolution: to be adopted by the Economic and Social Council at its substantive session of 2001.

[5] United Nations publication, Sales No. E.00.IV.4.

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Strengthening of security and cooperation in the Mediterranean region

Strengthening of security and cooperation in the Mediterranean region

Report of the Secretary-General

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I. Introduction

1. At its fifty-fifth session, the General Assembly adopted resolution 55/38 of 20 November 2000 on the strengthening of security and cooperation in the Mediterranean region, by which, inter alia, it called upon all States of the Mediterranean region that had not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation and encouraged all States of the region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms. The Assembly also encouraged the Mediterranean countries to strengthen further their cooperation in combating terrorism, in all its forms and manifestations, which poses a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation. In addition, it invited all States of the region to address, through various forms of cooperation, problems and threats posed to the region, such as terrorism, international crime and illicit arms transfers, as well as illicit drug production, consumption and trafficking, which jeopardize the friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society. Furthermore, the Assembly requested the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region. The present report is submitted pursuant to that request and on the basis of information received from Member States.

2. In this connection, a note verbale dated 30 April 2001 was sent to all Member States requesting their views. To date, the following Governments have replied: Algeria, Mexico and Sweden (on behalf of the States Members of the United Nations that are members of the European Union), and their responses are reproduced in chapter II below. Any replies or notifications received subsequently will be issued as addenda to the present report.

II. Replies received from Governments

A. Algeria

3. Algeria fully supports the objectives and activities contemplated by the General Assembly in its resolution 55/38 of 20 November 2000, entitled "Strengthening of security and cooperation in the Mediterranean region". Algeria has always cooperated and participated in all projects and initiatives aimed at promoting dialogue, concerted action and cooperation in the Mediterranean region, since this reflects a strategic decision which Algeria intends to implement fully. This attitude is proof of its firm conviction that only a genuine partnership can help to establish an area of stability and security in the Mediterranean region and promote an area of common development and prosperity. It is in this spirit that Algeria has become involved in the process which seeks to establish a framework for renewed partnership.

4. After the Barcelona Conference in November 1995, which laid the foundation for a new relationship between the two sides of the Mediterranean based on partnership and common interests, the mid-term ministerial meeting, held at Palermo, Italy, in June 1998, and the third Euro-Mediterranean ministerial conference, held at Stuttgart, Germany, in April 1999, provided a political stimulus to relations in the Euro-Mediterranean area by giving it a comprehensive, balanced and multidimensional approach based on the necessary balance between the three parts of the Barcelona Declaration. As a result of these two conferences, it has been possible to move ahead in the areas of terrorism and the charter for peace and stability in the Mediterranean region. Accordingly, Algeria has spared no effort in helping to consolidate this process and to protect and strengthen it as a fundamental political achievement.

5. Algeria considers that peace and stability in the Mediterranean region are prerequisites for economic and social development. The establishment of confidence-building measures to strengthen peace, security and stability in the Mediterranean region must be based on the implementation of just and lasting solutions to conflicts, respect for the purposes and principles of the Charter of the United Nations, the peaceful settlement of disputes and concrete, effective disarmament measures, including, inter alia, the

accession of all States of the region to the multilateral agreements banning nuclear weapons and weapons of mass destruction (such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on Chemical Weapons and the Biological Weapons Convention) and the submission of all their nuclear installations to international monitoring by the International Atomic Energy Agency (IAEA).

6. Transparency in armaments is another valuable tool for creating a climate of confidence in the Mediterranean region. It should also be aimed at preventing the destabilizing accumulation of weapons of all types. Algeria, while recognizing the importance of these objectives, considers that national sovereignty and the right of States to preserve their security and to enjoy undiminished security are also important. Measures to enhance transparency must be consensual, non-discriminatory and complete.

7. Security and stability in the Mediterranean also depend on the conduct of an implacable campaign against the illicit trade in small arms, which exacerbates conflicts and encourages terrorism and transnational crime.

8. The political and security partnership should be based on the littoral States' shared political will to take up common challenges in a spirit of solidarity through respect for the principles enshrined in international law, especially those of non-interference in the internal affairs of other States, the non-use of force or the threat of force and respect for sovereignty. This would help to strengthen democracy, consolidate the rule of law and eliminate new types of threats to peace and security, in particular the scourge of terrorism and transnational organized crime. These problems have become so widespread that they have become a serious threat to peace, security and stability in the Mediterranean region, and particularly in the States of the southern shore.

9. Cooperation involving a genuine partnership based on respect for the sovereignty of States, non-interference in their internal affairs and the right of every State to choose its own national security system is indispensable for eliminating these scourges.

10. Owing to its transnational character, terrorism continues to pose a serious threat to the security and stability of the region, to State institutions and to the rule of law. For this reason, it requires the sustained coordination and cooperation of all the Mediterranean countries, which must take all necessary steps to eliminate it.

11. International criminality and, in particular, corruption should also receive particular attention, inasmuch as it seriously impedes all the efforts of States to inaugurate their economic take-off. For that reason, at the sixth Conference of Ministers of the Interior of Western Mediterranean Countries, held at Lisbon, Portugal, on 29 and 30 June 2000, Algeria called for reflection on the adoption of a mechanism for combating large-scale corruption. To that end, Algeria expresses its support for the convening of an international conference on this phenomenon.

12. With regard to economic and financial partnership, Algeria stresses the need to reduce development disparities between the two sides of the Mediterranean and, in this connection, calls for a strengthening of the Euro-Mediterranean Partnership (MEDA) financial programme. Algeria also advocates the promotion of foreign direct investment flows and their just and equitable distribution among countries of the region. It considers that economic development institutes are necessary to enhance the progress made by the partner countries of the Mediterranean region in the areas of macroeconomic consolidation and economic transition. Algeria also calls for a review of the debt issue and debt cancellation and relief, for middle-income countries also, and the possibility of debt-equity swaps. Clearly, what is taking place is the establishment of new economic relations and the promotion of a partnership for development. The free-trade area should not be an end in itself but rather a means of achieving the more ambitious objective of creating an area of shared prosperity.

13. With respect to the partnership in social, cultural and human affairs, Algeria considers that there can be no free-trade area, presumably involving the unhampered flow of goods and services, unless the important issue of the movement of persons is taken into consideration.

14. The administrative procedures for issuing visas must be simplified and improved in order to promote movement back and forth across the Mediterranean. In this regard, Algeria welcomes the holding in March 1999 of the first Euro-Mediterranean expert seminar on migration and the movement of persons, particularly as the Ministers for Foreign Affairs reaffirmed the need for follow-up on this important issue at Stuttgart.

15. Algeria is strongly convinced of the importance of the Mediterranean Forum, which provides a useful framework for coordination and dialogue. Owing to its informal nature, this mechanism can make a significant contribution to other regional mechanisms and, in particular, the Barcelona process. It gives member countries an opportunity to consider political and security problems and economic, social and cultural issues in the region.

16. As a result of the latest ministerial meetings, at Palma de Mallorca, Spain, on 6 and 7 April 1998, and Valletta, Malta, on 3 and 4 March 1999, significant progress has been made in addressing issues related to security and stability in the region. For example, a list of measures to prevent and combat terrorism has been adopted, and it has been decided to hold periodic ad hoc meetings to consider this important issue. With regard to the Euro-Mediterranean Charter for Peace and Stability, 11 countries of the Forum, bearing in mind the document submitted by the Presidency of the European Union, have helped to make significant progress towards the development of that instrument.

17. However, this undeniable progress has become fragile owing to the deterioration of the situation in the Middle East and particularly in the occupied territories. This has resulted in the postponement of the adoption of the draft Euro-Mediterranean Charter for Peace and Stability, which had been scheduled to take place during the fourth ministerial conference, held in Marseilles in November 2000, until political circumstances so permit.

18. Within this same framework of cooperation and dialogue in the Mediterranean region, which Algeria has always supported, the fifth Conference of Ministers of the Interior of Western Mediterranean Countries, in which Algeria, France, Italy, the Libyan Arab Jamahiriya, Portugal, Spain and Tunisia participated, was held in Algiers on 20 and 24 June 1999. The holding, in June 2000, of the sixth Conference at Lisbon and the important decisions taken at this meeting demonstrate the usefulness and value of this framework for coordination, which is another milestone in the effort to strengthen security and cooperation in the Mediterranean region.

19. Algeria also welcomes the fact that the Five Plus Five framework for dialogue and cooperation was reactivated at the Lisbon ministerial meeting.

B. Mexico

[Original: Spanish]
[7 June 2001]

20. Mexico underscores the importance of paragraph 5 of General Assembly resolution 55/38, entitled "Strengthening of security and cooperation in the Mediterranean region", in which the States of the Mediterranean region that have not yet done so are called upon to adhere to the multilaterally negotiated instruments in the field of disarmament and non-proliferation.

21. In addition, Mexico supports the system of reporting on military expenditures and submitting information to the United Nations Register of Conventional Arms, which promotes a climate of enhanced confidence and transparency.

C. Sweden*

[Original: French]
[7 June 2001]

22. The States members of the European Union have supported the consensus on General Assembly resolution 55/38 on the strengthening of security and cooperation in the Mediterranean region. The European Union wishes to provide the following common reply on some of the activities realized by the Union aimed at fulfilling the objectives of the said resolution. The Central and Eastern European countries associated with the European Union and the associated countries Cyprus and Malta align themselves with the following response by the States members of the European Union to United Nations General Assembly resolution 55/38.

23. The European Union recalls its previous common replies (documents A/50/300 and A/51/230), reaffirms the principal points stated in those documents and adds the information appearing below.

24. The Euro-Mediterranean process, launched after the adoption of the Barcelona Declaration on 28 November 1995, has made a major contribution to the establishment and development of a global partnership between the European Union, its member countries and the 12 Mediterranean partners. A new cooperation scheme has been established, encompassing the

* Submitted on behalf of the States Members of the United Nations that are members of the European Union.

political, security, economic, sociocultural and human dimensions, which are closely interlinked and interactive. Such cooperation attests to the 27 partners' sense of ownership in relation to this process. Progress continues to be made despite difficult political circumstances. Even so, it has been possible to advance towards the fundamental objectives laid down in the Declaration: the consolidation of peace and stability in the region, the establishment of a zone of shared prosperity and the development of inter-cultural understanding and of exchanges between civil societies. We aspire to create, in this manner, a homogeneous and specific Mediterranean space. The spirit of Barcelona, as manifested in the acceptance, by the 27 partners, of a common value system and common goals, is a reality, but the aims pursued cannot be fully achieved while factors for disintegration or instability persist in the region.

25. The work carried out by the Union in relation to the common strategy for the Mediterranean, adopted by the European Council in June 2000 in Santa Maria da Feira, illustrates the importance which the Union attaches to this area. Through this strategy, which is based on the Barcelona process and the Middle East peace process, the European Union intends to reaffirm its will to develop a comprehensive policy in the Mediterranean on the basis of the positive synergy of its various components, while confirming its commitments towards Eastern and Southern Europe. We share the hope, expressed by the southern partners, that this strategy will give a stronger positive dimension to our policies in the area, enhancing the European role in relation to various Euro-Mediterranean issues.

26. In the framework of the Euro-Mediterranean political dialogue, we keep our Mediterranean partners regularly informed with regard to the establishment of a common security and defence policy based on the conclusions of the Helsinki, Santa Maria da Feira and Nice summits. Our aim is to clear up any mistrust which may arise with regard to the goals and objectives of this new European security and defence policy.

27. The European Union also believes that the first Africa-Europe Summit, held in Cairo in April 2000 under the aegis of the Organization of African Unity and the European Union, can provide very positive contributions to an understanding between the two regions and add new momentum to the development of the Mediterranean agenda.

28. The various Mediterranean dialogues in which the European Union and its member States participate with partners from the south (Mediterranean Forum, North Atlantic Treaty Organization (NATO), Organization for Security and Cooperation in Europe (OSCE) and Council of Europe, among others) have evolved in positive terms. They contribute, indirectly and through a complementary catalytic effect, to the promotion of the aims of the Barcelona process.

29. This combination of factors offers a framework, of which we should take full advantage, for advancing the common Mediterranean agenda and developing its content and projection towards the future. We hope to continue to move towards the implementation of the Barcelona aims and to establish and nurture a Euro-Mediterranean image, reflecting the emerging Euro-Mediterranean identity and its common aspirations as a region.

30. Since the declaration adopted by the European Council at its meeting in Berlin in 1999, the European Union has reaffirmed its commitment to supporting the realization of a just, comprehensive and durable peace in the Middle East, based on the relevant United Nations resolutions, the terms of reference and commitments undertaken at the 1991 Madrid Conference and the Oslo Accords. It is our hope and expectation that the parties to the peace process will agree to resume the negotiations. To this end, the European Union will increase its support for the peace process.

31. In the past year, within the Barcelona process, progress has been attained in the discussion on the Charter for Peace and Stability and in the political dialogue. Progress has also been made in the actions undertaken to advance cooperation in priority sectors such as the economic transition of partner countries, promotion of investment and the building of a free trade area. In addition, the development of the cultural, social and human dimensions referred to in the third chapter of the Declaration gathered new momentum, particularly with respect to social issues. Only by developing the three chapters of the Barcelona Declaration in a coherent and harmonious manner can the region be enabled to act as such on the international stage.

32. In view of the goal of building a Euro-Mediterranean free trade zone by 2010, it will be essential to strengthen economic liberalization among

the partner countries to promote their integration into the world economy. Some encouraging initiatives have already taken place in this regard, and the European Union has provided them with support and assistance.

33. Since the Marseilles Conference, a number of partnership-building initiatives have been taken. A conference of Ministers of Trade and two meetings of Ministers for Foreign Affairs have been scheduled for November 2001 and April 2002. Many seminars and meetings will also be held, such as the Euro-Mediterranean Parliamentary Forum held recently in Brussels, as well as projects such as the Euro-Mediterranean Observatory for Employment and Vocational Training, which will provide partners with the tools they need to sustain economic transition and attract appropriate levels of foreign investment.

34. We expect the new Meda II regulation, which was adopted on 27 November 2000 and provides for new, more flexible and effective management methods, to bring increased efficiency and transparency to the process. The amount of financing allocated, with the credits made available to partners by the European Investment Bank, reflects the importance the European Union attaches to the Euro-Mediterranean partnership and the expectations of partner countries.

35. The sociocultural and human dimensions of the Barcelona process will lay the foundations for an area of peace and stability in the Mediterranean. To this end, the dialogue between cultures and civilizations is continuing and efforts are being made to protect the region's common cultural heritage. Currently, an agenda for the areas of justice and internal affairs is being prepared in order to give these areas greater prominence in the implementation of the Barcelona process, involving close coordination between the northern and southern partners. A seminar on access to justice was held in Uppsala, Sweden, from 26 to 28 April, and a meeting of justice and internal affairs officials was held in Montpellier on 5 and 6 June 2001. The aim is to pursue the dialogue on migration, on which one meeting has already been held. Other issues, such as bilateral initiatives undertaken by States, are currently being studied. Considerable attention is also being paid to the integration of women into economic life and initiatives involving young people. We continue to encourage the participation of civil society, and especially of young people, in dialogues aiming to erase mistrust and deep-seated prejudices.

36. As regards the political dimension of the partnership, the European Union believes that significant progress has already been made in the political dialogue, which has enhanced understanding among the 27 partners on every conceivable subject. Within this framework, all parties have expressed and compared their points of view, thereby attaining a better understanding of the problems of the region. The dialogue on terrorism has also taken place within the Barcelona process. Three meetings on this subject were held in 1998, 1999 and 2000. The Ministers, at their meeting in Marseilles, issued a mandate to pursue the dialogue on this problem. In February 2001, a dialogue on human rights was opened at the high-level meetings held under the Barcelona process. The partners have given presentations on their national positions and their efforts to incorporate into their domestic legislation the international treaties which they have adopted and ratified.

37. Although events in the region have made it necessary to postpone the adoption of the Charter for Peace and Stability, negotiations on this subject will resume when political circumstances so permit. The Charter is conceived as a comprehensive approach to stability that does not lose sight of all its political, economic, financial, cultural, social and human components. It is presented as an evolutive framework agreement which is not legally binding and which would serve as a policy instrument for the gradual implementation of the principles set forth in the Barcelona Declaration with respect to the overall issues of peace and stability. Despite the delay in the Charter's adoption, the aim is to pursue the political dialogue in areas such as migration, the movement of persons, human rights and terrorism.

38. The Barcelona Declaration includes in its declaration of principles the promotion of regional security with actions in favour of nuclear, chemical and biological non-proliferation through adherence to and compliance with international arms control and disarmament agreements, such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention, the Biological Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty, and regional arrangements such as weapon-free zones. The Declaration stated that the parties would pursue a mutually and effectively verifiable Middle East zone free of weapons of mass destruction; nuclear,

chemical and biological weapons; and their delivery systems.

39. The European Union is convinced that transparency in military issues will induce stability at the regional level. Worldwide transparency in armaments is an important concept for building confidence, and the United Nations Register of Conventional Arms is an important measure in this respect. The European Union member States believe that every effort should be made to secure the widest possible participation in the Register, including "nil" reports and other relevant information.

40. The European Union calls once more on countries worldwide and in the Mediterranean region to join efforts to achieve the objective of total elimination of anti-personnel landmines. The European Union also believes that the issue of small arms and light weapons is extremely important and recalls its 1998 Joint Action to combat the accumulation and spread of small arms and light weapons. The European Union attaches great importance to the success of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held from 9 to 20 July 2001, as well as to the negotiations on this matter in the context of the Protocol to Combat the Illicit Manufacturing of and Trafficking in Firearms and in other forums.

41. The European Union regards the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of nuclear non-proliferation and nuclear disarmament and is committed to the achievement of its universality, as was recently confirmed at the Fourth Review Conference of the Parties. The European Union supports the creation of a zone free of weapons of mass destruction in the Middle East, and emphasizes the importance of additional protocols to safeguards agreements with IAEA as an effective measure to prevent nuclear proliferation and foster mutual confidence.

42. The European Union also urges all States to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, including in particular those listed in Annex II, whose signature and ratification are necessary for the entry into force of the treaty.

43. The European Union recalls its common position adopted on 17 May 1999 on the need to conclude a legally binding verification protocol to the Biological Weapons Convention, which the European Union regards as one of the main objectives in the area of non-proliferation.

44. The European Union calls on all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legally binding instruments in the field of disarmament and non-proliferation, in order to strengthen peace and cooperation in the region.

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Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

Report of the Secretary-General

Summary

During the period under review, the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean implemented various projects in accordance with the programme of work drawn up in 2000 in consultation with Member States in the region. These include activities dealing with both subregional and regional issues, training and dissemination of information and, in particular, activities related to promoting existing firearms- and landmines-related agreements, involving the diplomatic community, members of parliament, law enforcement officers, and non-government organizations. Much attention was also devoted to organizing panels to inform parliamentarians of the need for and benefits of treaty ratification. All these projects have been carried out in cooperation and/or coordination with individual countries and regional agencies.

Considerable effort was devoted by the Centre to support for regional initiatives in the area of firearms, in particular for a regional meeting to reach a common position for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, to be held at Headquarters from 9 to 20 July 2001.

A number of new activities were initiated by the Centre during the period under review, for example, in the area of anti-personnel landmines and on projects involving civil-military relations and disarmament and development, in cooperation with the United Nations Mine Action Service, the Organization of American States and the Geneva International Centre for Humanitarian Demining.

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Pursuant to General Assembly resolution 52/220 of 22 December 1997, the Centre sought to establish contacts with the United Nations Development Programme and regional organizations, as well as with Member States within and outside the region, with a view to exploring possible areas for cooperation and securing funding. Despite relative success achieved in fund-raising, the full functioning of the Centre is still hampered by the lack of sufficient resources for operational and administrative costs. It is hoped that with the strong support of Member States, foundations and other donors the viability of the Centre will be ensured in the coming year.

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I. Introduction

1. On 20 November 2000, the General Assembly adopted, without a vote, resolution 55/34 E entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean". In paragraphs 6 and 7 of that resolution, the Assembly requested the Secretary-General to provide the Centre with all necessary support, within existing resources, to enable it to carry out its programme of activities and to report to the Assembly at its fifty-sixth session on the implementation of the resolution.

2. The present report is submitted pursuant to that request. It is also submitted pursuant to Assembly resolution 55/34 F of 20 November 2000 entitled "United Nations regional centres for peace and disarmament", in which the Assembly requested the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities. The report covers the period from August 2000 to June 2001.

II. Functioning and mandate

3. The United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, located in Lima, was established in 1987, pursuant to General Assembly resolution 41/60 J of 3 December 1986. The Centre functions under the auspices of the Department for Disarmament Affairs and is mandated to provide, upon request, substantive support for the initiatives and other activities of the Member States of the region for the implementation of measures for peace and disarmament and for the promotion of economic and social development. The Centre functioned until the end of June 1996, when its operations were suspended due to insufficient voluntary contributions to finance its activities and administrative costs. Following the appointment of the Director of the Centre by the Secretary-General in December 1998, pursuant to General Assembly resolution 52/220, vigorous efforts have been launched to raise funds with a view to revitalizing the activities of the Centre.

4. In pursuit of its mandate, the Centre continued to serve the countries in the region as: (a) a means of promoting subregional, regional and cross-regional activities; (b) a tool to identify synergies between security and development issues; and (c) an instrument for the United Nations in playing a proactive role in the establishment of a more secure environment for social and economic development in the region.

III. Activities

5. The Centre continued to maintain cooperation and coordination with other United Nations agencies and entities. Most of the activities carried out during the period under review can be generally grouped under six main areas: firearms, ammunition and explosives; anti-personnel landmines; nuclear issues; disarmament and development; civil-military relations; and information and public events.

A. Firearms, ammunition and explosives

6. The Centre supported the Brazilian Government in organizing the Regional Preparatory Meeting of the Latin American and Caribbean States for the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, held from 22 to 24 November 2000 in Brasilia. Representatives of Latin American and Caribbean States met to seek a common approach to the issue of illicit trade in small arms and light weapons, with a view to contributing a regional perspective to the 2001 United Nations Conference and to its preparatory process.

7. After three days of deliberations, Member States adopted the Brasilia Declaration, in which they expressed, inter alia, the belief that the United Nations Conference should adopt a political declaration and a global programme of action. The Brasilia Declaration also acknowledged the important role of the Centre in the promotion of United Nations activities in the field of small arms and light weapons. Chile endorsed this acknowledgement and proposed to organize jointly with the Centre a regional follow-up conference to the 2001 United Nations Conference in November 2001.

8. A number of activities were carried out under a project entitled "Regional Clearing-house on Firearms, Ammunition and Explosives", an initiative to nurture national and regional expertise in the field of practical disarmament. The project promotes such initiatives as collective and national efforts to control the legal trade in and to curb the increasing illicit flow of firearms,

ammunition and explosives in the region. An important aspect of the project is to foster the sharing of experience and lessons learned within the region and elsewhere.

9. On 26 January 2001, the Organization of American States (OAS) and the Department for Disarmament Affairs signed a memorandum of understanding setting the legal framework for cooperation between the two parties. The Inter-American Drug Abuse Control Commission (CICAD) and the Centre are designated in the memorandum as the implementing institutions for projects on illicit trafficking in firearms, ammunition and explosives. Discussions were initiated in June 2001 with both MERCOSUR and the Andean Group, for the signature of additional memoranda of understanding to facilitate the organization of training courses and other activities related to the issue of firearms in the region.

10. In cooperation with CICAD, the Centre has initiated work on the preparation and publication of a manual on how to implement the 1997 CICAD "Model regulations for the control of the international movement of firearms, their parts and components and ammunition". The manual is expected to be used as material in the training course for police and custom officials entitled "Curbing Illicit Trafficking in Firearms, Ammunitions and Explosives in Latin America and the Caribbean: Training Police and Custom Officer Instructors".

11. From 7 to 9 March 2001, the Centre participated in a workshop organized by the Government of the Netherlands entitled "Towards the 2001 Conference and Beyond", which addressed issues related to the relationship between Governments and non-government organizations (NGOs). The Centre made a presentation on United Nations regional initiatives on firearms, which was to set forth a platform for government and civil society. The experience gained by the Centre through its above-mentioned "Regional Clearing-house Project on Firearms, Ammunition and Explosives" was also shared with the participants.

12. At the invitation of the Government of Japan, the Centre participated in an international symposium entitled "Conflict Prevention: Multi-Actor Coordination from United Nations to Civil Society". The symposium highlighted the need for collaboration between the different actors working on the issue of conflict prevention, in particular the local authorities and communities, the United Nations and other international organizations, NGOs and donor countries. The Centre also held discussions with representatives from the Government of Japan, NGOs and other Governments on joint cooperation initiatives related to firearms, landmines and human security issues.

13. From 23 to 25 April 2001, the Centre attended the second international Inter-parliamentary Conference Between the Parliaments of Central America, Spain and Sweden on Small Arms, held in Managua. The purpose of the Conference was to facilitate a debate among the parliamentarians, NGOs and other participants on different aspects of the illicit trafficking in firearms problem. The Conference concluded with the adoption of the "Agreement of Managua".

14. In April 2001, the Centre attended a small arms and weapons of mass destruction seminar, in Buenos Aires. The seminar aimed to promote a debate among Government representatives (notably foreign ministries, the military and the intelligence community), the industry and NGOs, regional and subregional organizations on different aspects of security threats, present and future, for the region.

15. The Centre also participated in a conference organized by the Canadian Ministry of Foreign Affairs entitled the "OAS and the 2001 United Nations Conference: Tackling the Illicit Trade in Small Arms and Light Weapons in All Its Aspects". The Conference, held on 23 and 24 May 2001 in Ottawa, was attended by some 40 representatives from Governments, NGOs and international organizations in the region. Among the various issues discussed was the definition of small arms and light weapons as a humanitarian matter. The Centre took the opportunity to discuss possible ways that the United Nations could assist countries in the region in promoting ratification of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

16. On 29 May 2001, the Centre, which serves as a platform for NGOs in Latin America and the Caribbean to develop their skills on the firearms issue, organized a meeting within the framework of its project entitled "Latin America and the Caribbean NGOs capacity-building, networking and strengthening of their advocacy means", in Geneva. The objective of the meeting was to discuss areas of cooperation in more detail and to draw up a timetable for the

implementation of the project, as well as to agree on the division of labour. Acting as a coordinator for such activities, the Centre established cooperation with institutions such as Viva Rio, the Arias Foundation, the Small Arms Survey, International Alert and the Swedish Fellowship of Reconciliation.

B. Anti-personnel landmines

17. In June 2000 in New York, the Centre chaired the first consultative meeting between the United Nations Mine Action Service, the Government of Canada and OAS in order to set up a framework for cooperation in the preparation of a joint workshop entitled "Regional Seminar on Stockpile Destruction", to take place in Buenos Aires. The Centre also participated in subsequent follow-up meetings that took place in September 2000 in Geneva and in October 2000 in New York. The Regional Seminar on Stockpile Destruction of Anti-personnel Mines in the Americas was held in Buenos Aires, from 6 to 8 November 2000. The Centre, however, could not attend the seminar for financial reasons.

18. From 11 to 15 September 2000, the Centre attended the second meeting of States parties to the Mine Ban Convention, organized in Geneva. From 13 to 15 November 2000, the Director of the Centre represented the Department for Disarmament Affairs at the first planning mission for the third meeting of States parties to the Mine Ban Convention, scheduled to take place from 18 to 21 September 2001 in Managua. The Director has been nominated by the Secretary-General to be the Executive Secretary of the third meeting.

19. From 4 to 8 December 2000, the Centre attended the inter-sessional meeting of the States parties to the Mine Ban Convention in Geneva. Participation of the Centre in the standing committees on "Victim Assistance, Socio-Economic Reintegration and Mine Awareness" and "Mine Clearance and Related Technologies" provided a useful basis for organizing the third meeting of States parties. Preliminary contacts were made by the Centre with OAS on how to develop further cooperation on landmine matters, in particular with respect to the organization of a regional event promoting international mine action standards.

20. On 28 March 2001, the Centre organized a workshop in Lima on preparations for the third meeting of the States parties to the Mine Ban Convention. This was the second workshop in 2001 within the framework of the Inca Space Workshop Series. The objective of the workshop series is to promote discussion on and awareness of different subjects concerning peace, disarmament and development in the Latin America and Caribbean region. The workshop was attended by several permanent representatives from countries in the region, military attaches, representatives of NGOs, and members of civil society.

21. The Centre also organized, in cooperation with the United Nations Mine Action Service the Geneva International Centre for Humanitarian Demining and the Government of Peru, a regional technical workshop entitled "Revision and Future Implementation of International Mine Action Standards". The workshop, which took place on 31 May and 1 June 2001 in Lima, was part of a global outreach programme on international standards with the aim of discussing and exploring the practical application of the proposed standards and guides to assist national mine action authorities to develop and, if necessary, amend their own national standards and standard operating procedures to reflect the requirements of the international mine action standards and to develop a broad consensus for them.

22. On 30 May 2001, the Centre participated as an observer in the destruction of 33,421 anti-personnel mines outside the city of Piura in northern Peru. This was the first step in the destruction of the 310,000 anti-personnel mines as a response to the Managua Challenge, which is aimed at the destruction of all landmine stockpiles before the third meeting of States parties to the Mine Ban Convention. Participating in the event were also observers from Canada, Spain, Switzerland, the United States of America, the International Committee of the Red Cross and the International Campaign to Ban Landmines.

C. Nuclear issues

23. On 29 November and 1 December 2000, the Government of Peru and the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in cooperation with the Centre, organized a workshop in Lima on international cooperation and national implementation/ratification procedures for the Comprehensive Nuclear-Test-Ban Treaty. This was the

first joint event organized after the signing of a relationship agreement between the Preparatory Commission and the United Nations on 26 May 2000, and was part of a series of international and regional workshops to promote the Treaty's objectives (Vienna in 1998, Cairo and Beijing in 1999). The main purpose of the workshop was to identify how countries in the region can promote international cooperation in Comprehensive Nuclear-Test-Ban Treaty verification-related technologies, as well as to promote understanding of national obligations arising from signing and ratifying the Treaty.

24. The Centre was also consulted on the possibility of assisting the Peruvian Government in organizing a regional meeting on the promotion of ratification of the Additional Safeguards Protocol of the International Atomic Energy Agency (IAEA). A series of brief consultation meetings have taken place both in Vienna and in Lima between the three institutions (Government of Peru, IAEA and the Centre) and a regional workshop is scheduled to take place in late November 2001 in Lima.

25. On 3 May 2001, representatives of the Centre and the Provisional Technical Secretariat were invited to attend a hearing of the Uruguayan Committee on Foreign Relations at the headquarters of the Senate of Uruguay, with the objective of highlighting the importance of ratification of the Comprehensive Nuclear-Test-Ban Treaty by the Government of Uruguay. The hearing was also attended by representatives of the Foreign Ministry. On that occasion, the representatives from the Centre and the Provisional Technical Secretariat briefed the Committee on the current status of the Treaty's membership, some of the latest political and diplomatic developments related to the Treaty and the financial implications as well as potential benefits of its ratification for Uruguay. The hearing presented an opportunity for members of the Senate Committee to seek clarification on some national concerns related to treaty implementation, funding and other political and technical issues.

26. On 2 May and 13 June, representatives of the Centre and the Provisional Technical Secretariat provided similar briefings to representatives from the Committee on Foreign Relations of Paraguay from both the House and Senate. Representatives of the Foreign Ministry and the national focal point of the Comprehensive Nuclear-Test-Ban Treaty Organization also attended the meetings. Members of Parliament from both Uruguay and Paraguay expressed no objection to the Comprehensive Nuclear-Test-Ban Treaty and indicated their willingness to ratify it as soon as possible.

D. Disarmament and development

27. The Centre organized a workshop entitled "Disarmament and Development: New Challenges and Options" on 11 June 2000, in Lima. The workshop, which was inaugurated by Ambassador Javier Pérez de Cuéllar, Head of the Ministers Council and Minister for Foreign Affairs of the Peruvian Government and former Secretary-General of the United Nations, was aimed at fomenting the debate and emphasizing the increasing importance of the tight bond between disarmament and development, as well as its effects. The debate reflected a new thinking on the symbolic and practical relation between disarmament and development. It was expected that a series of other such meetings will be organized.

E. Civil-military relations

28. On 28 February 2001 the Centre organized a workshop entitled "Civil-Military Relations in Latin America and the Caribbean Region" within the framework of the Inca Space Workshop Series. The workshop addressed issues such as the importance of having a democratic society with a stable socio-economic foundation and democratic society's influence on armed forces. The situation in Peru regarding civil-military relations was discussed as an example of the need to address this issue in the region. Participants also addressed the need for more explicit guiding policies from the Government and Parliament concerning the role and the task of armed forces. The need for greater participation of civil society in security-related issues was also expressed.

F. Information and public events

29. The Centre participated in a number of information and training events during the period under review. For example, from 11 to 22 September 2000 and from 4 to 15 June 2001, the Centre participated in seminars on disarmament, demobilization and

reintegration in Stockholm, organized by the Swedish National Defence College, the Lester Pearson Peacekeeping Centre (Canada) and the Swedish International Development Cooperation Agency. In November 2000, the Centre made a presentation at an ad hoc meeting of the Group of Latin American Countries in New York on the Latin America and Caribbean regional preparatory meeting for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

30. In Lima, on 17 April 2001, the Centre gave a lecture at the National Centre for Higher Studies, an institute of the Armed Forces of Peru, on the United Nations system. It was the second consecutive year that the Centre was invited to contribute to this annual event, which brought together 80 colonels from all the services of the armed forces and members of the national police of Peru, as well as some 10 other individuals from different areas of civil society. On 22 May, the Centre participated in a national radio station programme called "Separate Worlds" on the theme "Disarmament — A Global Task". The programme is run by the Peruvian Conference of Catholic Bishops and directed at young people. Participation in these activities provided an opportunity for the Centre to discuss the importance of disarmament, transparency in military affairs and related topics, thus stimulating a debate on democratic control of the armed forces, defence and security issues. It also facilitated the promotion of the United Nations Register on Conventional Arms and the United Nations standardized instrument for reporting of military expenditures as well as the Centre's work on firearms in the region.

IV. Finance and staffing

31. In accordance with General Assembly resolution 41/60 J, the Centre was established on the basis of existing resources and voluntary contributions that Member States and interested organizations might make for its support.

32. During the reporting period, voluntary contributions in the amount of US$ 114,875 have been received. In addition, a number of Governments and institutions contributed to the work of the Centre by sharing or absorbing the costs of joint events, personnel and/or material resources. The Secretary-General wishes to express his gratitude to the Governments of Austria, Belgium, Brazil, Chile, Mexico, the Netherlands, Panama, Sweden and Switzerland for their generous support, and to the Government of Peru, the host country, for its substantial contribution to and generous support of the Centre. The status of the Trust Fund for the Centre during 2000 appears in the annex to the present report.

33. An intensive fund-raising campaign was initiated by the Director of the Centre in the period under review. The purpose of this effort was threefold: to report on the utilization of funds and past activities; to learn more about the interest of donor countries in the region; and to seek new contributions. Over 40 countries, institutes and foundations were approached for financial assistance. In total, in addition to visits to most embassies in Lima, close to 25 Foreign Ministries were contacted in the course of the year.

34. At present, the Centre operates with some administrative support from the UNDP office in Lima. Besides the Director, the Centre includes two associate experts one from Belgium and one from Sweden, and three local staff members provided by the host Government. However, adequate funding for administrative and operational costs has yet to be found.

35. In spite of the intense fund-raising efforts made during the period under review, contributions to the Centre have decreased by one third when compared with the previous reporting period. The financial situation of the Centre therefore remains precarious. Aside from the contributions made by the host Government and the Government of Chile, no continual funding has been pledged. The Secretary-General, therefore, strongly supports and reiterates the appeal made by the General Assembly in its resolution 55/34 E to Member States in each region and to those that are able to do so, as well as to intergovernmental and international NGOs and foundations, to make voluntary contributions to the Centre to enable it to strengthen and implement its programme of activities.

V. Conclusions and observations

36. The Centre has continued to serve as a facilitator for the implementation of regional initiatives in the period under review. The Centre has further stimulated regional security debates, provided members of parliaments with more in-depth information on security

matters and promoted the dissemination of information on security issues among diplomats, the military, NGOs and civil society. It has also intensified its contribution to the coordination of United Nations efforts towards peace and security in the region and has initiated a policy of signing memoranda of understanding with subregional and regional organizations as a means of avoiding duplication of efforts.

37. The Centre initiated a structural debate on the understanding of the relationship between civil-military relations, disarmament and development, as well as the promotion of social and economic development as referred to in its mandate. It has enhanced the role of the Organization as a regional catalyst for activities on peace and disarmament and has acted as a politically neutral platform for discussions on security and development issues. Despite the decreased level of voluntary contributions received during the period under review, the Centre has demonstrated, through its programme of activities, its own capacity as a strong focal point for peace, disarmament and development issues for Governments, non-governmental and regional organizations and the diverse sectors of civil society in the region.

38. The Secretary-General counts on the continued support and cooperation of Member States to ensure the Centre's effective functioning as a focal point for regional security issues and the promotion of social and economic development in the region.

Annex

Status of the Trust Fund for the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean during 2000

	United States dollars
I. Fund balance, 31 December 1999	132 678
II. Income, 1 January-31 December 2000	
Voluntary contributions*	123 850
Interest income	10 041
Miscellaneous income	451
Subtotal	**134 342**
III. Expenditures	
1 January-31 December 2000	205 412
Prior period adjustments	-
Subtotal	**205 412**
IV. Fund balance, 31 December 2000	61 608

Note: Information is based on the financial statement for the period 1 January to 31 December 2000. During the period from 1 January to 30 June 2001, additional contributions totalling $41,025 were received from Austria ($10,000), Panama ($1,000), Peru ($30,000) and Switzerland ($25).

* 2000: Austria ($10,000), Chile ($10,000), Mexico ($2,500), Netherlands ($19,785), Panama ($3,000), Peru ($30,000), Sweden ($20,000) and Switzerland ($28,565).

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Crime prevention and criminal justice

Report of the Secretary-General

Summary

The present report highlights the progress made in implementing General Assembly resolution 55/64, entitled "Strengthening of the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity". It describes the status of work with regard to the United Nations Convention against Transnational Organized Crime and an international legal instrument against corruption. It identifies the main concerns and challenges relating to the criminal misuse of information technologies and suggests possible follow-up action. It provides an overview of the technical cooperation activities of the Centre for International Crime Prevention and describes the progress in implementing the global programmes against corruption, trafficking in human beings and transnational organized crime. It also provides information on voluntary contributions made to the United Nations Crime Prevention and Criminal Justice Fund.

Three basic requirements are identified to sustain and build upon the progress of the past years: (i) vigilant action by the intergovernmental bodies to reinforce the focus of activities of the programme on achievable and viable priority areas of engagement; (ii) continued efforts to provide resources to match the existing mandates of the programme by, inter alia, limiting the proliferation of new mandates and increasing regular budget allocations, so as to ensure the availability of a core capacity to develop, raise funds for, administer and manage the delivery of technical assistance to countries in need; and (iii) considerably increase voluntary contributions for the provision of technical cooperation services.

* A/56/50.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 55/64 of 4 December 2000, entitled "Strengthening of the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity", in order to provide an overview of the progress made in implementing the resolution.

2. Other related documents before the fifty-sixth session of the Assembly are: (a) the report of the Secretary-General on the African Institute for the Prevention of Crime and the Treatment of Offenders; (b) the report of the Secretary-General on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin; and (c) the report of the Intergovernmental Open-ended Group of Experts on the Preparation of Draft Terms of Reference for the Negotiation of the Future Legal Instrument against Corruption.

II. Major developments

3. The most significant development of the past year was the finalization and signature of the United Nations Convention against Transnational Organized Crime and its three supplementary protocols, namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, as well as the commencement of the process of developing an international legal instrument against corruption.

4. The Centre for International Crime Prevention (CICP) of the Office for Drug Control and Crime Prevention continued to focus efforts on providing assistance to the international community and individual Member States. Major areas of work in this respect have been the provision of substantive assistance for the development of the United Nations Convention against Transnational Organized Crime and its three protocols; initiation of delivering technical assistance to foster the ratification of the Convention; and the implementation of the global programmes against transnational organized crime, trafficking in human beings and corruption. The Centre's work in supporting the elaboration and ratification of international legal instruments and its global programmes currently constitute the two main pillars of its operations. Both areas reflect the reinforcement of the process of repositioning the Centre to respond effectively to the new global challenges in crime and justice. The process of focusing its programme of work and scarce resources on broad well-defined priorities and objectives has been concluded, as embodied in the medium-term plan for the period 2002-2005 and the proposed programme of work for the period 2002-2003.

5. Efforts have also been continued to strengthen the Centre's capacity to deliver the refocused programme of work and improve its operational and administrative efficiency. Bringing on board and building up specialized expertise, as well as improving gender balance and geographical representation among the Centre's staff, the Centre further pursued greater operational synergy with the United Nations International Drug Control Programme (UNDCP) and other concerned actors, while stronger collaboration has been maintained with the network of institutes and several other intergovernmental and non-governmental partners.

6. The United Nations Crime Prevention and Criminal Justice Programme network had its Fifteenth Joint Programme Coordination Meeting at Turin and Courmayeur, Italy, on 20 and 21 September 2000. In particular, the Meeting reviewed the successful collaboration among the members of the Programme network in relation to the preparation and conduct of a series of parallel expert workshops that took place on the margins of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna, from 10 to 17 April 2000.[1] During the tenth session of the Commission on Crime Prevention and Criminal Justice, the Programme network took the lead in organizing, with the support of CICP, the "Workshop on Prison Populations: Facts, Trends and Solutions", which was held in Vienna, on 10 May 2001.[2] The Workshop recommended that similar technical and thematic workshops should be organized to take place during the Commission's sessions, as part of its regular programme of work.

7. CICP also participated in the Board sessions of the United Nations Interregional Crime and Justice Research Institute (UNICRI), the European Institute for

Crime Prevention and Control (HEUNI) and the International Scientific and Professional Advisory Council (ISPAC) in 2000 and the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR) in 2001. At the ICCLR the Tenth Anniversary Conference, held in Vancouver, from 8 to 10 June 2001, CICP cooperated with the Institute through a keynote presentation on the United Nations Convention against Transnational Organized Crime and its protocols.

8. The following are concrete examples of cooperation between CICP and the Institutes, over the past year: UNICRI has been fully involved as a major partner in the implementation of the Global Programmes; the Australian Institute of Criminology cooperated in the implementation of a CICP/UNICRI project on trafficking in human beings in the Philippines through the provision of the services of an expert; and HEUNI released its statistician to CICP to assist with the analysis and elaboration of survey materials and databases.

9. At the tenth session of the Commission on Crime Prevention and Criminal Justice (8-17 May 2001), CICP convened a meeting with the Directors of the Institutes of the Programme network to review current modalities of collaboration and discuss future joint ventures, including those related to the promotion and implementation of the Vienna Declaration on Crime and Justice (General Assembly resolution 55/59, annex) and its action plans, once the latter have been approved by the Commission and adopted by the General Assembly.

10. The Centre continued to benefit from the joint provision of services within ODCCP, such as in servicing intergovernmental bodies, fund-raising, external relations and administration, supported by the United Nations Office at Vienna. The triennial review by the Office of Internal Oversight Services of the implementation of the recommendations made by the CPC on the in-depth evaluation of the United Nations crime prevention and criminal justice programme (E/AC.51/2001/5) will contribute further in improving programme efficiency.

III. Tenth session of the Commission on Crime Prevention and Criminal Justice

11. The tenth session of the Commission was held in Vienna from 8 to 17 May 2001. The prominent theme for the session was progress made in global action against corruption. The Commission recommended the adoption of two draft resolutions by the General Assembly on the "Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders" and on "Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the adopted protocols thereto"; as well as three draft resolutions by the Economic and Social Council on "Action to promote effective community-based crime prevention", "Illicit trafficking in protected species of wild flora and fauna" and "Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds", respectively. The Commission also considered draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century. As it did not conclude its review of the draft plans of action, it decided to recommend the holding of an inter-sessional meeting in Vienna, from 3 to 5 September 2001, to continue and complete its work on this matter, in pursuance of General Assembly resolution 55/60. The report on the session (E/2001/30-E/CN.15/13) contains the text of those draft resolutions and details of the deliberations of the Commission.

IV. Towards the ratification of the United Nations Convention against Transnational Organized Crime and the protocols thereto

12. On 15 November 2000, by resolution 55/25, the General Assembly adopted the United Nations Convention against Transnational Organized Crime, with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

and the Protocol against the Smuggling of Migrants by Land, Sea and Air. By the same resolution, the Assembly opened these instruments for signature at the High-level Political Signing Conference, held in Palermo, Italy, from 12 to 15 December 2000. On 31 May 2001, by resolution 55/255, the Assembly adopted a third supplementary Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, which was opened for signature on 2 July 2001.

13. The High-level Political Signing Conference in Palermo was attended by representatives of 149 States. There were 16 States represented by Heads of State or Government, while most of the other delegations were headed by Ministers of Foreign Affairs, Justice or the Interior. A total of 123 States and the European Community signed the Convention at the Conference, the highest number of opening signatures for a convention in United Nations history. The Protocol on trafficking in persons was signed by 80 States and the European Community, and the Protocol against smuggling of migrants was signed by 77 States and the European Community (A/CONF.195/2 and Corr.1). Since the Palermo Conference, two additional countries have signed the Convention, five additional countries have signed the Protocol against trafficking in persons and five additional countries have signed the Protocol against the smuggling of migrants. On 5 June 2001, Monaco became the first country to ratify the Convention and the Protocol against trafficking in persons and the Protocol on smuggling of migrants. The Convention and Protocols will remain open for signature at United Nations Headquarters in New York until 12 December 2002, and States may join them by accession after that date.

14. The Convention represents a milestone in international cooperation against transnational organized crime. It carries a powerful political message and signals the resolve of the international community to fight that global menace effectively. Consensus on the texts of the draft Convention and the draft protocols was achieved in an unprecedentedly short period of time. Those legal instruments eliminate differences in cultural viewpoints, establish common themes and standards and provide both an appropriate structure and the required tools for cooperative action among Governments, particularly law enforcement agencies. They also establish the protection of victims and the prevention of transnational organized crime as cornerstones of collective international work. Moreover, they contain provisions aimed at enhancing capacity-building, technical assistance and the sharing of information among States parties.

15. The Centre has already initiated several measures for promoting the entry into force of the new instruments, and further measures are being developed. These include the organization of regional and subregional seminars designed to identify the needs of countries and serve as forums for relevant officials to discuss the implication of the instruments and the requirements for ratification and implementation in each legal system. In this connection, services were provided to the Legal Committee of CARICOM meeting in Guyana, from 22 to 27 January 2001; a regional seminar was organized in South Africa, among the SADC Ministers of Justice and Attorneys-General from 26 to 30 March 2001 (E/CN.15/2001/CRP.3); another in Guatemala on 19 and 20 April 2001 (E/CN.15/2001/CRP.4); and a third one will be held from 8 to 10 August 2001 in Hanoi, Viet Nam, for the ASEAN countries. As national ratification efforts proceed, the Centre will also work with individual countries in response to their requests for assistance in developing adequate legislative, administrative and other changes to give effect to the various provisions of the instruments. Countries that have already sought assistance for carrying out required steps for ratification include Bolivia, Chile, the former Yugoslav Republic of Macedonia, Mongolia, Namibia, Romania, Ukraine and Yugoslavia.

16. "Pre-ratification assistance" may be defined as assistance in meeting the immediate and specific requirements of States for undertaking the necessary steps leading to the ratification of the Convention and, as the case may be, one or more of its protocols. Its main orientation is to put in place the necessary legislative and other measures for satisfying the basic compliance requirements so that the ratification instruments can be adopted by the competent national legislative bodies, in response to the expressed concern that developing countries require help in fulfilling the obligations emanating from the new instruments.

17. The ability of the Centre to provide "pre-ratification" and implementation assistance will, by necessity, be contingent upon the availability of voluntary contributions for that purpose. Some Governments have already pledged or made voluntary contributions to the special account established for that

purpose, for example, contributions to the United Nations in the amount of 25 per cent of the value of assets confiscated in cases involving organized crime.

V. Action against corruption: towards the elaboration of an international legal instrument

18. The General Assembly, in its resolution 55/61, decided to begin the elaboration of an international legal instrument against corruption. Pursuant to the provisions of that resolution, the Commission on Crime Prevention and Criminal Justice, at its tenth session, considered a report providing an analysis of all relevant international instruments and provided further guidance for future work on the development of a legal instrument against corruption (E/CN.15/2001/3 and Corr.1). The General Assembly also requested the convening of an intergovernmental open-ended expert group to prepare draft terms of reference for the negotiation of the future legal instrument against corruption. The expert group is scheduled to meet in Vienna, from 30 July to 3 August 2001. Pursuant to General Assembly resolution 55/188, entitled "Preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin", the expert group will also examine the question of illegally transferred funds and their repatriation to the countries of origin. In its deliberations, the Group will benefit from the rich thematic discussion conducted by the Commission at its tenth session and focused on government initiatives to combat corruption, as well as on asset recovery (E/2001/30, chap. II).

VI. Combating the criminal misuse of information technologies

19. The criminal misuse of information technologies is a matter of serious and growing concern to Member States as a domestic and transnational crime problem. As the use of information technologies spreads and as global reliance on them increases, so does the threat of criminality involving computers, computer networks and other telecommunications systems, as well as the magnitude of the harm such criminality is capable of causing. In May 2000, one single computer virus was conservatively estimated to have infected as many as 45 million computers and caused $7-10 billion in damages worldwide.

20. Evidence of the concern about these new forms of crime can be found in the efforts of Member States to respond to it. At the domestic level, many have adopted legislation creating new crimes and investigative powers or for ensuring that those already in operation apply to crime in the new electronic environment. Within the United Nations, computer-related crime was the subject of discussions at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[3] which adopted a resolution on this subject, drawing on which a Manual on the prevention and control of computer-related crime was published in 1994;[4] as well as at the Tenth Congress, during which a workshop was conducted on this theme.[5] It should also be recalled that on 4 December 2000, the General Assembly adopted resolution 55/63, in which it, inter alia, noted the value of efforts to combat the criminal misuse of information technologies.

21. Pursuant to Economic and Social Council resolution 1999/23, a report on crimes related to computer networks was submitted to the Commission on Crime Prevention and Criminal Justice at its tenth session (E/CN.15/2001/4). Having reviewed the nature and extent of the problem of high technology and computer-related crime and the activities of the United Nations and other intergovernmental organizations to deal with it, the report concluded that there was a need to examine the problem both as an expanding new form of transnational crime and in more general context areas, such as social and economic development and the protection of human rights. It also noted that it was essential for all relevant stakeholders to be involved in discussions, including developing countries, the private sector and relevant non-governmental organizations. It proposed a more detailed study of the problem to be presented to the Commission at its eleventh session. It is hoped that the realization of such a study, under the leadership of the Commission, will result in the elaboration of comprehensive policy recommendations for more effectively combating the criminal misuse of information technologies, both nationally and internationally.

VII. Illicit manufacturing of and trafficking in explosives

22. In its resolution 54/127 of 17 December 1999, the General Assembly requested the Secretary-General to convene an expert group to prepare a study on the illicit manufacturing of and trafficking in explosives and their use for criminal purposes. A voluntary contribution for the study was made by the Government of the United States of America. Regional groups were requested to nominate experts to be invited to the meeting and 17 experts were nominated.

23. At its first meeting, held in Vienna from 12 to 16 March 2001, the expert group conducted a preliminary examination of the information assembled by its members and the Secretariat. Extrabudgetary resources available to the Secretariat were not sufficient to cover the travel costs of the experts and the cost of interpretation; as a result, nine of the experts nominated were unable to attend the meeting. The expert group expressed its concern that lack of resources could adversely affect its future work and its ability to fulfil its mandate. To collect relevant information from countries not represented in the expert group, the members of the expert group developed a survey and requested the Secretariat to distribute it as soon as possible. The expert group agreed that each of its members should, in addition to analysing responses to the questionnaire, carry out research on such topics as the marking and tracing of explosives, relevant aspects of transnationality, domestic legislation and existing international and regional instruments and a survey of needs and resources in the areas of legal and technical assistance. It also agreed that it should hold another meeting to finalize the study once the responses to the questionnaire became available. The Secretariat is engaged in consultations with interested countries for the purpose of organizing a second meeting of the expert group as soon as possible. The Secretary-General is to report, as early as possible, to the Commission on the results of the study, in accordance with resolution 54/127.

VIII. Technical cooperation

A. Overview

24. As of 30 June 2001, the total value of the Centre's ongoing technical cooperation projects amounted to $4,199,447. The projects are listed in table 1 below. Further details are contained in the following sections. The Centre continued to focus its technical cooperation activities on combating organized crime, trafficking in human beings and corruption. Progress has been made in initiating and advancing the implementation of concrete projects at the regional and country levels, especially within the framework of the Centre's three global programmes addressing the above subjects. At the same time, ad hoc projects in other criminal justice areas, such as juvenile justice and crime prevention, were also supported and carried out.

25. Synergies between the Centre and UNDCP, the two pillars of the Office for Drug Control and Crime Prevention, continued to be sought, while strengthening the Centre's identity. A number of joint missions were undertaken with UNDCP. These included advisory, fact-finding and project formulation missions to Guatemala, the Dominican Republic, Egypt and West Africa, as well as the participation by CICP experts in training events organized by the Legal Affairs Programme of UNDCP and the development of joint projects in the areas covered by the CICP Global Programme against Corruption and the Office for Drug Control and Crime Prevention Global Programme against Money Laundering. While decisions on project execution and implementation modalities continued to be made on a project-by-project basis, CICP engaged the United Nations Office for Project Services (UNOPS) for the provision of administrative and other support services for the implementation of a number of field projects.

26. The capacity of the Centre to backstop technical cooperation activities was enhanced through increased representation at the country and subregional levels. This was achieved through the conversion of selected UNDCP offices to ODCCP offices, in accordance with Economic and Social Council resolution 1998/24. Decisions on the establishment of CICP representations at the field level are based on the need to support the development and implementation of specific technical cooperation activities. In 2000, ODCCP regional

Table 1
Technical cooperation projects supported by the Centre for International Crime Prevention in 2001

Country	*Project*	*Total budget (United States dollars)*	*Role of the Centre*
Hungary	Assessment of corruption in Hungary	175 263	Funding and executing agency
Lebanon	Support for the national anti-corruption strategy	305 551	Funding and executing agency
	Strengthening the legislative and institutional capacity for juvenile justice	754 049	Funding and executing agency
Philippines	Coalitions against trafficking in human beings in the Philippines	219 231	Funding and executing agency
South Africa	Mechanisms to counteract domestic violence	660 000	Funding and associate agency
	Measures to counteract organized crime	414 000	Funding and cooperating agency
	Donor coordination in the criminal justice field	40 000	Funding and executing agency
	Support to the national anti-corruption strategy	359 340	Funding and executing agency
The former Yugoslav Republic of Macedonia	Preventing and controlling economic and financial crime	330 000	Funding and executing agency
Czech Republic and Poland	Criminal justice responses to trafficking in human beings	519 348	Funding and executing agency
Benin	Implementation of a national anti-corruption strategy	196 100	Funding and executing agency
West Africa (Benin, Nigeria, Togo)	Trafficking in human beings in Benin, Nigeria and Togo	226 565	Funding and executing agency
Global	United Nations Survey on Transnational Organized Crime and related Drug Trafficking		Executing agency. Funded by UNDCP ($152,550)
Total		**4 199 447**	

offices were established in Thailand, covering South-East Asia; in Egypt, covering North Africa and the Middle East; and in Brazil and Bolivia. The Centre is currently represented at six regional and one national field offices. In the second half of 2001, steps will be taken to enable the conversion to ODCCP offices of the existing UNDCP offices in Nigeria, Senegal and Colombia.

B. Global Programme against Corruption

27. Progress has been made in refining, implementing and raising awareness about the Global Programme against Corruption, launched in March 1999 in cooperation with the United Nations Interregional Crime and Research Institute (UNICRI). A number of countries have indicated their interest in participating and receiving technical assistance from the global programme. The number of participating pilot countries has increased from three to six, and

discussions are ongoing on arrangements for the possible participation of additional countries. Increased substantive expertise, dissemination of information and visibility for the programme have been achieved. A web page of the programme has been launched and is being continuously updated, within the Centre's web site (www.odccp.org/corruption.html). A draft United Nations *Anti-Corruption Tool Kit* and a draft United Nations *Manual on Anti-Corruption Policy* have been elaborated and are being refined on the basis of feedback being received. The *Tool Kit* and the *Manual* provide technical guidance to policy makers on combating corrupt practices within the public sector.

28. The global programme consists of an integrated package of assessment, technical cooperation, evaluation and contributions for the formulation of international, national and municipal strategies and instruments to combat corruption. It entails a systematic process of "action learning", which will identify best practices and lessons learned through pilot country projects, programme execution and monitoring through periodic country assessments and the global corruption trends study. Attention is also given to institution building, prevention, awareness raising and education, enforcement, anti-corruption legislation, judicial integrity and repatriation of illegally acquired assets as well as impact monitoring and evaluation.

29. A global corruption trends annual report is being initiated to provide a systematic international policy-oriented tool designed to identify and address a country's institutional factors enhancing the frequency and scope of corrupt practices. The report would also identify the links between public sector corruption and organized crime, asset recovery, and human trafficking.

30. It is envisaged that during its current initial stage, the programme will undertake projects in a few selected pilot countries from all regions of the world. Six countries, which have requested the Centre's assistance to design and implement an integrated anti-corruption programme, have been selected for pilot projects: Benin, Hungary, Lebanon, Nigeria, Romania and South Africa. These countries would also be part of a survey to be included in the global trends annual report. Projects in these countries are currently at different stages of formulation and implementation. Further pilot countries are being considered, in consultation with the pertinent government authorities, while new project ideas are being developed on the basis of feasibility assessments. These currently include Colombia, the Islamic Republic of Iran, and Uganda, as well as a possible follow-up project in Romania.

31. In Benin, a project entitled "Elaboration of an anti-corruption strategy in Benin" has been developed, signed and funding secured from the Government of France. In Hungary, implementation of the project "Assessment of corruption in Hungary" is currently ongoing. Funded by the Government of the United States of America, the project is assisting the Government of Hungary in its efforts to prevent, detect and fight corruption and promote transparency, accountability and the rule of law. In Lebanon, a project entitled "Support for the national anti-corruption strategy" was launched in March 1999, funded by the Government of the United States. The project assists the authorities in establishing an independent anti-corruption agency, introducing codes of conduct for public officials and strengthening the integrity of the judiciary. In Nigeria, preparatory missions were undertaken and a draft project document on strengthening the integrity of the judiciary has been developed, with the active involvement of the Chief Justice and the Supreme Court. The project entitled "Institution building and strengthening of corruption control capacity in Romania", funded by the Governments of Greece and the United States and the United Nations Development Programme (UNDP), concluded its activities and was externally evaluated in December 2000. The evaluation concluded that the project was perceived to have added value to the Government's efforts to fight corruption. The Government has requested the initiation of a follow-up project focusing on integrity in the judiciary and public-awareness raising. In South Africa, the project entitled "Support to the national anti-corruption strategy" was signed in March 2001. Project implementation is commencing with a comprehensive assessment of types, levels, causes, and cost of and remedies for corruption in South Africa.

32. In Colombia, a project is being developed in close consultation with government officials and civil society representatives. It aims at introducing best practices in the fight against corruption at the local government level, covering service delivery within the executive, legislative and judicial domains. CICP has developed a project idea for enhancing judicial integrity in the Islamic Republic of Iran, which is still the subject of discussion with the pertinent authorities.

In Uganda, following an assessment mission, a project document has been developed focusing on the strengthening of the institutional and legal anti-corruption framework.

33. In the context of developing and implementing the above-mentioned projects and activities, the Centre worked in close cooperation with United Nations system entities, such as UNDP, UNOPS, and many international and national non-governmental organizations, such as Transparency International, Gallup International, Information International in Lebanon, the Norwegian Agency for International Development (NORAD) and Pro-Democracy in Romania.

34. In addition to the voluntary contributions provided by the Governments of France, Greece and United States of America, and UNDP, funding for a significant share of the programme's activities and staffing has been provided by the Governments of the Netherlands, Norway and the United States of America.

C. Global Programme against Trafficking in Human Beings

35. The Global Programme against Trafficking in Human Beings, launched in March 1999 jointly with UNICRI, consists of an integral package of research, technical cooperation and the formulation of an international strategy against trafficking in human beings. It aims at enabling countries of origin, transit and destination to develop joint strategies and successful criminal justice-related responses against trafficking in human beings. The Protocol against Trafficking in Persons, supplementing the United Nations Convention against Transnational Organized Crime, provides the normative framework and orientation for the global programme. The programme comprises a data collection and analysis component aimed at establishing a database on trafficking trends and flows as well as on best practices to combat against trafficking.

36. Four technical cooperation projects are currently under implementation or preparation. The anti-trafficking project signed with the Government of the Philippines in March 2000 has assisted the authorities with the establishment of a national inter-agency coordination mechanism, awareness raising, training sessions for law enforcement officers and a workshop on improving cooperation between police and prosecutors. An anti-trafficking project has been developed in cooperation with the Governments of the Czech Republic and Poland. Project activities will start upon the signature of the project by the Government of Poland. A similar project is under consideration for the Slovak Republic. The projects include assessing the requirements for ratification and implementation of the Protocol against Trafficking in Persons in the project countries, increasing successful investigation and prosecution of traffickers, and providing support and protection to victims and witnesses. In Brazil, a project has been developed which envisages a cost-sharing contribution by the Government of Brazil amounting to three fourths of the total budget, and which is awaiting the Government's signature. The project will assess routes and modalities used by organized crime groups to traffic in human beings. Its activities include improvement of the law enforcement response and support for victims of trafficking. A project is also being developed for the West African region (Benin, Nigeria and Togo), aimed at assessing trafficking flows and identifying countermeasures in support of the Governments' anti-trafficking efforts, targeting in particular the trafficking in women for sexual purposes and in children, who are believed to be sold by traffickers as slave labour. The global programme has also made contributions on the human trafficking component of an ODCCP project in the Dominican Republic. In close cooperation with the Government authorities of Nigeria and Italy, UNICRI has developed a project against trafficking in minors and young women from Nigeria to Italy.

37. A Forum on Global Action against Trafficking in Persons was organized in Catania, Italy, on 14 December 2000, in collaboration with UNICRI and the Government of Italy, as a side event of the High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime. The Forum identified action needed for the ratification and implementation of the Protocol against Trafficking in Persons and adopted a set of recommendations on measures to combat trafficking in human beings.

38. A public service announcement on trafficking in human beings was produced and is being distributed by ODCCP for broadcasting by interested television networks around the world. The announcement is intended to raise global awareness about trafficking in

human persons, dispel the myth about women easily finding work abroad in economically better-off countries and expose the sexual exploitation of which trafficked women become the subject. Broadcasting stations in several countries have expressed strong interest in the product.

39. Funding or pledges of assistance for the activities and projects developed under the programme have been received from the Governments of Austria, Belgium, Canada, France, Liechtenstein, the Netherlands, Norway, Portugal and the United States of America. The Government of Australia has made an in-kind contribution towards the implementation of the Philippines project, and the Government of Brazil will co-finance the project in that country.

40. In the planning and implementation of the global programme, the Centre continued its cooperation with other intergovernmental and non-governmental organizations. In particular, it cooperated with the United Nations Children's Fund, the International Organization for Migration, the International Centre for Migration Policy Development, Interpol, the European Union and the Organization for Security and Cooperation in Europe.

D. Global studies on transnational organized crime

41. The adoption of the United Nations Convention against Transnational Organized Crime has opened new perspectives for activities aimed at assisting Member States in combating transnational organized crime, especially the provision of technical assistance through advisory services and field projects, supplemented by adequate data collection, analysis and policy development. Related activities, including the global studies on transnational organized crime which were initiated earlier, are now grouped together under the global programme against transnational organized crime. The Convention against Transnational Organized Crime provides the normative framework and orientation for the programme, which seeks to assess the effectiveness and efficiency of current policies and measures for combating organized crime; to provide assistance in upgrading the national capacities for collecting, analysing and using criminal justice data through the application of comprehensive methodologies; to promote public awareness on the existence, causes and gravity of the threats posed by transnational organized crime; to facilitate the exchange of information on patterns and trends in transnational organized crime and on successful practices for combating it; and to provide technical assistance through advisory services and field activities.

42. The programme also supports and supplements the activities of the Centre directly aimed at promoting the ratification of the Convention, such as the provision of pre-ratification assistance for countries which have signed the Convention. It is currently elaborating a project on the best practices in fighting organized crime worldwide, which will serve as a basis for providing technical assistance.

43. A project was launched in the former Yugoslav Republic of Macedonia to address economic and financial crime through strengthened legal provisions and the establishment of a specialized police unit. Additional funding is being sought for a project, formulated in cooperation with UNICRI, which aims at analysing and assessing the threat posed by Nigerian criminal networks active in four countries of the Economic Community of West African States (ECOWAS): Côte d'Ivoire, Ghana, Nigeria and Senegal. Another project aimed at analysing and assessing transnational organized crime in five Central Asian States has been developed and approved. Commencement of the project activities, covering Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, awaits the signature of the project document by the Governments of Kazakhstan, Turkmenistan and Uzbekistan. The global study on transnational organized crime continues to collect information in 12 countries (Australia, Canada, Colombia, Czech Republic, Germany, Italy, Japan, the Netherlands, the Russian Federation, South Africa, the United Kingdom and the United States of America) and in the Caribbean region. The data collected from this study are added to a database on transnational organized crime.

44. Funding or pledges of assistance for the activities and projects of the programme have been received from the Governments of France, Italy, the United Kingdom and the United States of America.

E. Crime prevention and juvenile justice

45. The Centre supported and implemented a number of projects in other criminal justice areas, in accordance with its existing mandates. For example, in Lebanon, a project to strengthen the legislative and institutional capacity for juvenile justice is being implemented. A project proposal on juvenile justice has been prepared for Egypt and is expected to be implemented during 2001, while a follow-up juvenile justice project is being developed for Lebanon. Similarly, a project idea in the juvenile justice sector is being developed for the Islamic Republic of Iran, in consultation with the pertinent authorities. The Centre also assisted the South Africa Police Service to formulate and implement two pilot projects, with UNDP, to promote crime prevention in schools and the community, especially in rural areas.

46. In the context of the High-level Political Signing Conference on the United Nations Convention against Transnational Organized Crime, held in Palermo, the Centre initiated preparatory work for the development of a new programme activity in crime prevention that will seek to promote a culture of lawfulness and assist national and local governments in protecting groups at risk of being recruited by organized crime, particularly through educational and civic programmes.

IX. Other programme activities

A. Promoting standards and norms in crime prevention and criminal justice

47. The Centre for International Crime Prevention continued activities in pursuance of mandates relating to the promotion of the use and application of standards and norms in crime prevention and criminal justice. The following reports on the subject were submitted to the Commission: report of the Secretary-General on the use and application of the United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2001/9); and report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2001/10 and Corr.1).

48. The practical application of existing United Nations standards and norms was particularly highlighted by the Commission, as an important means by which Governments could upgrade criminal justice administration, across sectors and improving professional performance in effectively combating crime, while safeguarding basic elements of human rights in an integrated manner. In view of their relevance, the Commission agreed to select "Reform of the criminal justice system" as the topic for the thematic discussion at its eleventh session.

B. Preventing terrorism

49. A division of labour has been established between the Terrorism Prevention Branch of the Office for Drug Control and Crime Prevention and the Office of Legal Affairs at United Nations Headquarters, according to which the Branch deals with research and technical cooperation while the Office of Legal Affairs deals with legal and normative matters.

50. During the past year, the Terrorism Prevention Branch made progress in its work on the development of data collection for the preparation of a global survey on terrorism. It has also cooperated closely with pertinent research institutions and other actors in the prevention of terrorism, serving as a clearing house of information though the launching of a web site (www.odccp.org). In addition, it is collaborating with the International Scientific and Professional Advisory Council (ISPAC) in publishing the proceedings of the conference on "Countering terrorism through enhanced international cooperation", held in Courmayeur, Italy, from 22 to 24 September 2000.

C. Collection and dissemination of information

51. The CICP continued its efforts to reinforce its capacity and performance in the collection, analysis and dissemination of relevant data and information. It has published electronically the responses to the Sixth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, presented by variable and by country (accessible at www.uncjin.org/Statistics/WCTS/WCTS6/Publication.pdf). The periodic surveys are the primary vehicle used by the Centre for the collection of statistics on crime trends and criminal justice at the national level. A total of 75 Governments have provided official data, covering the police, prosecution, courts, prisons and after-care services. The seventh survey has also

recently been launched, in cooperation with the United Nations Statistics Division in New York.

52. The CICP continued to expand its efforts to disseminate information, especially by electronic means, through the Internet-based United Nations Crime and Justice Information Network (UNCJIN). UNCJIN was merged into the site of the Office for Drug Control and Crime Prevention (www.odccp.org). The original UNCJIN data will continue to be assessable, without updates, at www.uncjin.org until the end of 2001.

53. During 2000, the UNCJIN site received 294,523 visitors, requesting 73.3 gigabytes of information. On average, a visitor to the site examined 5.59 documents, whereas during 1999 it had received 27,624 visitors, requesting 4.6 gigabytes of information, with an average of 3.63 documents examined by the visitors. That indicates that the interest in the site has grown more than 10-fold during the past year, so that it now provides 16 times the amount of information than it did the year before.

X. Resource mobilization

54. The contributions and pledges provided to the United Nations Crime Prevention and Criminal Justice Fund during 2000 and until 31 May 2001 are listed in table 2 below.

55. Voluntary contributions over the past year to the United Nations Crime Prevention and Criminal Justice Fund for technical cooperation projects were at the same level as in the previous year, while there was a decrease in general purpose contributions. The past year also witnessed a small but discernible expansion in the Centre's donor base, although it did not result in an overall increase in the total of voluntary contributions.

56. The bulk of the special-purpose contributions were for the three global programmes of the Centre and for supporting the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, mainly to finance the cost of additional sessions that had not been included in the programme budget for the biennium 1999-2000, and to enable participants from the least developed countries to contribute to the work of the Ad Hoc Committee.

57. As can be seen from table 2, the donor base of the Centre continues to consist of a few countries. In 2001, the Centre will pursue efforts to broaden its donor base, promote more generous and sustained contributions and encourage increased general purpose contributions. Increased contributions, including general purpose contributions, are urgently needed to enable the Centre to plan and deliver technical assistance, to countries requesting it; launch new initiatives linked to the implementation of the global programmes and continue to play its proactive advocacy role at the global and regional/subregional levels, in cooperation with the Programme Networks of the Institutes.

58. The effective accomplishment of the significantly increased responsibilities of the Centre is contingent upon commensurate increases in the resources available to it. While the Centre will continue to actively pursue the mobilization of voluntary contributions to support its technical assistance and field projects, development agencies should also appreciate and take fully into account the fact that credible law enforcement, justice administration and anti-corruption efforts are essential to sustainable development. In the face of the threats posed by transnational crime, it is vital to supplement domestic arrangements with effective collaboration involving counterparts in other countries. The objective should be to ensure that criminal justice systems are both capable of, and committed to, responding speedily and adequately to the need for collaboration. In essence, criminal justice international cooperation should become a common possession of all nations.

XI. Concluding remarks

59. Over the years, the General Assembly has increasingly recognized the importance of making progress in the field of crime prevention and criminal justice and its contribution to the maintenance of security and the rule of law, with full respect of human rights and fundamental freedoms. The Assembly has also repeatedly demonstrated its commitment to strengthen the United Nations Crime Prevention and Criminal Justice Programme, with a view to making it more responsive to needs and priority concerns of Member States. Drawing on the steps taken towards the implementation of General Assembly resolution 55/64, including other relevant mandates in this area, it can be concluded that the credibility of the Programme will be measured, to a large extent, by its ability to achieve tangible results, following the guidance provided by

Table 2
Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund in 2000 and to 31 May 2001
(in United States dollars)

	2000			*2001*		
	General purpose	*Special purpose*	*Total*	*General purpose*	*Special purpose*	*Total*
Austria	129 054[a]	-	129 054	32 128[a]	-	32 128
Belgium	-	43 833[a]	43 833	-	-	-
Canada	27 027[a]	165 903[a]	192 930	-	-	-
Chile	10 000[a]	-	10 000	10 000[a]	-	10 000
Greece	30 000[a]	-	30 000	30 000[a]	-	30 000
Israel	-	10 500[a]	10 500	-	-	-
Italy	-	353 333[a]	353 333	-	-	-
Japan	-	500 000[a]	500 000	-	-	-
Netherlands	-	345 428[a]	345 428	-	319 000[a]	319 000
Norway	-	298 974[a]	298 974	-	-	-
Republic of Korea	25 000		25 000	-	-	-
Turkey	75 000	-	75 000	50 000[b]	-	50 000
United Kingdom	-	94 297[a]	94 297	-	-	-
United States of America	-	750 000[a]	750 000	-	-	-
Asia Crime Prevention Foundation	-	45 847[a]	45 847	-	-	-
European Commission		124 510[b]	124 510	-	-	-
International Police Association	6 003[a]	-	6 003	-	-	-
FTML[c]		53 675[a]	53 675	-	-	-
Other donations[d]	6 492	3 058	9 550	5 000[a]	-	5 000
Total	**308 576**	**2 789 358**	**3 097 934**	**127 128**	**319 000**	**446 128**

[a] Paid.
[b] Partially paid.
[c] France Telecom Mobile Lebanon.
[d] Pledges and contributions of less than US$ 5,000 from Governments and others.

Member States and the United Nations policy-making bodies. In this connection, the catalytic role of the Commission on Crime Prevention and Criminal Justice in providing policy directions to the Programme has greatly assisted the CICP not only in priority settings, but also in implementing its work programme and in rendering more effective and timely assistance to countries in need. Towards this end, the Centre has expanded its efforts of strengthening partnerships with United Nations entities and intergovernmental and non-governmental organizations and institutes, by fostering close collaborative ties and undertaking joint initiatives, particularly in respect of technical cooperation projects on issues of mutual interest.

60. Three basic requirements can be identified to sustain and build upon the progress of the past years, namely vigilant action by the intergovernmental bodies to reinforce the focus of the activities of the Programme's achievable and viable priority areas of engagement; continued efforts to provide resources to match the existing mandates of the programme by, inter alia, limiting the proliferation of new mandates and increasing budget allocations; and considerably

increased voluntary contributions for a further expansion of the operational activities. As noted above, one of the major developments during the last year has been the adoption by the General Assembly of the United Nations Convention against Transnational Organized Crime and its three protocols. Pre-ratification assistance is essential to achieve the objective of helping countries to take concrete steps towards the ratification of the Convention and its protocols, especially the developing countries and countries with economies in transition, as recommended by the Assembly, and as specifically foreseen in the Convention. In this context, a special effort should be made to encourage States to make adequate and regular voluntary contributions for this purpose, in accordance with paragraph 15 of resolution 55/64 and paragraph 9 of resolution 55/25.

61. Efforts will be intensified to capitalize on what has been achieved to date and chart the task for the future with the aim of enhancing the Centre's capacity to deliver the refocused programme of work and improve its operational efficiency, while trying to strike a balance between this and other concerns of crime prevention and criminal justice. Towards this end, the recommendations contained in the report of the Office of Internal Oversight Services on the triennial review of the implementation of the recommendations made by the Committee for Programme and Coordination at its thirty-eighth session on the in-depth evaluation of the United Nations Crime Prevention and Criminal Justice Programme (E/AC.51/2001/5) will guide such efforts.

Notes

[1] See, in this connection, the report of the Secretary-General on activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network (E/CN.15/2001/8).

[2] See, also, "World prison populations: facts, trends and solutions" (E/CN.15/2001/CRP.1).

[3] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.

[4] *International Review of Criminal Policy*, Nos. 43 and 44: United Nations Manual on the Prevention and Control of Computer-Related Crime (United Nations publication, Sales No. E.94.IV.5).

[5] *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8), paras. 161-174.

Report of the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment

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I. Introduction

1. The present report is the third report submitted to the General Assembly by the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment, Sir Nigel Rodley, pursuant to General Assembly resolution 55/89 and Commission on Human Rights resolution 2001/62. As in previous years, this report contains issues of special concern to the Special Rapporteur, in particular overall trends and recent developments.

2. The Special Rapporteur would like to draw the attention of the General Assembly to his report to the Commission on Human Rights, in which, in view of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, he addressed the question of racism and related intolerance, which he believes is all too relevant to issues falling within his mandate.[1] He would like to remind Governments that, in the report he submitted last year to the General Assembly, he addressed the following issues: gender-specific forms of torture; torture and children; torture and human rights defenders; reparation for victims of torture; and torture and poverty (A/55/290).

II. Issues of special concern to the Special Rapporteur

A. Intimidation as a form of torture

3. The Special Rapporteur takes note with appreciation of the reference to intimidation in Commission on Human Rights resolution 2001/62, entitled "Torture and other cruel, inhuman or degrading treatment or punishment". In paragraph 2, the Commission "condemns all forms of torture, *including through intimidation*, as described in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" (emphasis added). As stated by the Human Rights Committee in its General Comment No. 20 (10 April 1992), on article 7 of the International Covenant on Civil and Political Rights, the Special Rapporteur would like to remind Governments that the prohibition of torture relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim, such as intimidation and other forms of threats.

4. A number of decisions by human rights monitoring mechanisms have accordingly referred to the notion of mental pain or suffering, including suffering through intimidation and threats, as a violation of the prohibition of torture and other forms of ill-treatment. In particular, the Special Rapporteur would like to draw Governments' attention to the views expressed by the Human Rights Committee in the case of Estrella v. Uruguay. The alleged victim, Miguel Angel Estrella, the renowned Argentinean concert pianist, complained of having, inter alia, been threatened with death, mock amputation of his hands with an electric saw and violence to his relatives or friends. The Committee concluded that the applicant had been subjected to severe psychological torture, in an effort to force him to admit subversive activities. The treatment had lasting effects, particularly to his arms and hands. Indeed, he suffered a loss of sensitivity in both arms and hands for 11 months and discomfort that persisted for years in the right thumb.

5. Similar interpretations of the prohibition of torture have been made with respect to the relevant provisions to be found in international humanitarian law. Article 4 of the 1977 Protocol Additional to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflict (Protocol II) prohibits at any time and in any place whatsoever "(a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment" ... and "(h) threats to commit any of the foregoing acts". The Special Rapporteur would like to draw Governments' attention to the Commentary on the Geneva Conventions and Protocol II published by the International Committee of the Red Cross, which states with respect to subparagraph (h) of article 4: "This offence concludes the list of prohibited acts and enlarges its scope. In practice threats may in themselves constitute a formidable means of pressure and undercut the other prohibitions. The use of threats will generally constitute violence to mental well-being within the meaning of subparagraph (a)." Similarly, article 13 of the Third 1949 Geneva Convention relative to the Treatment of Prisoners of War states that "... prisoners of war must at all times be protected, particularly against acts of violence or intimidation and

against insults and public curiosity" and considers the violation of such obligation a serious breach to the Convention. The ICRC Commentary refers to the fact that the protection extends to moral values, such as the moral independence of the prisoners, or protection against acts of intimidation. With respect to interrogation, article 17 (Beginning of captivity) of the same Convention provides that "no physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind."

6. The Special Rapporteur notes that he mainly receives communications regarding acts that cause physical pain or suffering or regarding persons at risk of being subjected to those acts. He will, of course, continue to react vigorously to that kind of violation of the prohibition of torture. Nevertheless, he notes that information on threats and intimidation a person may have been subjected to, especially while in the hands of law enforcement officials, is an often crucial element in assessing whether the person is at risk of torture and other forms of ill-treatment.

7. After his visit to Azerbaijan, the Special Rapporteur reported that it was believed by so many detainees he had met during the mission that torture was automatic that the mere threat or hint of adverse consequences for failure to comply with investigators' wishes (such as to sign a confession) was assumed to mean torture. For some, the mere fact of detention had the same implication. Furthermore, the Special Rapporteur noted that the investigative authorities frequently did nothing to dispel this association. The Special Rapporteur pointed out that the fear of physical torture may itself constitute mental torture.[2] The Special Rapporteur also referred in several of his mission reports to the fact that the absence of marks on the body that would be consistent with allegation of torture should not necessarily be treated by prosecutors and judges as proof that such allegations are false.[3] In that respect, he called for the judiciary to be made more aware of other forms of torture, such as intimidation and other threats.

8. It is the Special Rapporteur's opinion that serious and credible threats, including death threats, to the physical integrity of the victim or a third person can amount to cruel, inhuman or degrading treatment or even to torture, especially when the victim remains in the hands of law enforcement officials. He remains alert to the problems posed in respect of securing evidence of non-physical forms of torture.

B. Enforced or involuntary disappearance as a form of torture

9. The Special Rapporteur would like briefly to take stock of the situation in respect of acts of enforced disappearance, since the jurisprudence of several international human rights monitoring mechanisms has referred to the prohibition of torture while dealing with such acts.

10. As stated in article 1 of the Declaration on the Protection of all Persons from Enforced Disappearance,[4] any act of enforced disappearance[5] "constitutes a violation of the rules of international law guaranteeing, inter alia, the right to recognition as a person before the law, the right to liberty and security of the person and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment. It also violates or constitutes a grave threat to the right to life." Similarly, the Working Group of the Commission on Human Rights on Enforced or Involuntary Disappearances acknowledged, in its third report to the Commission, that enforced disappearance itself constitutes ipso facto torture and other prohibited ill-treatment. It stated that: "the very fact of being detained as a disappeared person, isolated from one's family for a long period is certainly a violation of the right to humane conditions of detention and has been represented to the Group as torture."[6] The issue of enforced disappearances is thus all too relevant to the mandate of the Special Rapporteur, who would like to take this opportunity to remind the General Assembly of the links between these two serious human rights violations, in particular in the light of findings of other human rights mechanisms.

11. The Committee against Torture has often expressed concern over practices of enforced disappearance while reviewing periodic reports submitted in accordance with article 19 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.[7] Similarly, the Human Rights Committee concluded while reviewing individual complaints, that enforced disappearances may amount to torture and other forms of ill-treatment

of the disappeared. The Special Rapporteur notes in the case of El-Megreisi v. Libyan Arab Jamahiriya that the Committee concluded "... from the information before it, that Mohammed El-Megreisi was detained incommunicado for more than three years, until April 1992, when he was allowed a visit by his wife, and that after that date he has again been detained incommunicado and in a secret location. Having regard to these facts, the Committee finds that Mr. Mohammed Bashir El-Megreisi, by being subjected to prolonged incommunicado detention in an unknown location, is the victim of torture and cruel and inhuman treatment, in violation of articles 7 and 10, paragraph 1, of the Covenant."[8] While the Special Rapporteur notes that the term "disappearance" was not used by the Committee, presumably because the fact of detention and its substantial duration had been confirmed before the case even reached the Committee, he believes that what appears to have been enforced disappearance, is justifiably described by the Committee as torture.[9]

12. The Special Rapporteur also notes that, in article 1, the Declaration states that any act of enforced disappearance inflicts severe suffering on the victims and their families and in the fifth preambular paragraph refers to the anguish and sorrows caused by those disappearances. The Special Rapporteur would like to emphasize that the working definition of "disappearance" refers also to the refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty.[10] This is an intentional act directly affecting close family members. Being fully aware they are hurling family members into a turmoil of uncertainty, fear and anguish regarding the fate of their loved one(s), public officials are said to maliciously lie to the family, with a view to punishing or intimidating them and others.[11]

13. The Special Rapporteur would like to draw the attention of Governments to the views of the Human Rights Committee in Maria del Carmen Almeida de Quinteros, on behalf of her daughter, Elena Quinteros Almeida, and on her own behalf v. Uruguay — namely, that with regard to the violations alleged by the author on her own behalf, the Committee understands the anguish and uncertainty concerning the fate and whereabouts of her daughter. The author has the right to know what has happened to her daughter. In these respects, she too is a victim of the violations of the Covenant suffered by her daughter, in particular, of article 7.

14. The Special Rapporteur notes that, according to both Committees, the rationale of duration has often been considered one of the principal elements in determining the severity of ill-treatment.[12] While reaffirming that enforced disappearances are unlawful under international law and cause much anguish, whatever their duration, the Special Rapporteur believes that to make someone disappear is a form of prohibited torture or ill-treatment, clearly as regards the relatives of the disappeared person and arguably in respect of the disappeared person or him/herself.[13] He further believes that prolonged incommunicado detention in a secret place may amount to torture as described in article 1 of the Convention against Torture. The suffering endured by the disappeared persons, who are isolated from the outside world and denied any recourse to the protection of the law, and by their relatives doubtless increases as time goes by.

15. In the light of the above, the Special Rapporteur welcomes the decision of the Commission on Human Rights in its resolution 2001/46 (23 April 2001), entitled "Question of enforced or involuntary disappearances", to "appoint an independent expert to examine the existing international criminal and human rights framework for the protection of persons from enforced or involuntary disappearance, taking into account relevant legal instruments at the international and regional levels, intergovernmental arrangements on judicial cooperation, the draft international convention on the protection of all persons from enforced disappearance (E/CN.4/Sub.2/1998/19, annex) transmitted by the Sub-Commission in its resolution 1998/25 of 26 August 1998, and also comments of States and intergovernmental and non-governmental organizations, with a view to identifying any gaps in order to ensure full protection from enforced or involuntary disappearance ...".

16. Finally, the Special Rapporteur would like to indicate his intention to continue to refrain from dealing with cases of disappearances so as to avoid duplication with the Working Group on Enforced or Involuntary Disappearances. He nevertheless hopes to be in a position to send joint communications with the Working Group, especially when fears have been expressed that the persons concerned may be at risk of torture and further disappearance in view of the

incommunicado nature of their detention in a secret place.

C. Torture and discrimination against sexual minorities

17. For some years, the Special Rapporteur has received information regarding a number of cases in which the victims of torture and other cruel, inhuman or degrading treatment or punishment have been members of sexual minorities. He notes that a considerable proportion of the incidents of torture carried out against members of sexual minorities suggests that they are often subjected to violence of a sexual nature, such as rape or sexual assault in order to "punish" them for transgressing gender barriers or for challenging predominant conceptions of gender roles.

18. The Special Rapporteur has received information according to which members of sexual minorities have been subjected, inter alia, to harassment, humiliation and verbal abuse relating to their real or perceived sexual orientation or gender identity and physical abuse, including rape and sexual assault.[14] He notes with concern that, according to the information received, the rape of a man or of a male-to-female transsexual woman is often subject to the lesser charge of "sexual assault", which carries lighter penalties than the more serious crime of rape in a number of countries. It is also reported that male-to-female transsexual women have been beaten intentionally on their breasts and cheek-bones which had been enhanced by silicone implants, causing the implants to burst and as a result releasing toxic substances into their bodies. Ill-treatment against sexual minorities is believed to have also been used, inter alia, in order to make sex workers leave certain areas, in so-called "social cleansing" campaigns, or to discourage sexual minorities from meeting in certain places, including clubs and bars.

19. While no relevant statistics are available to the Special Rapporteur, it appears that members of sexual minorities are disproportionately subjected to torture and other forms of ill-treatment, because they fail to conform to socially constructed gender expectations. Indeed, discrimination on grounds of sexual orientation or gender identity may often contribute to the process of the dehumanization of the victim, which is often a necessary condition for torture and ill-treatment to take place. The Special Rapporteur further notes that members of sexual minorities are a particularly vulnerable group with respect to torture in various contexts and that their status may also affect the consequences of their ill-treatment in terms of their access to complaint procedures or medical treatment in state hospitals, where they may fear further victimization, as well as in terms of legal consequences regarding the legal sanctions flowing from certain abuses. The Special Rapporteur would like to stress that, because of their economic and educational situation, allegedly often exacerbated or caused by discriminatory laws and attitudes, members of sexual minorities are deprived of the means to claim and ensure the enforcement of their rights, including their rights to legal representation and to obtain legal remedies, such as compensation.

20. The Special Rapporteur is concerned that in a number of countries laws punish consensual same-sex relationships and transgendered behaviour by corporal punishment which, as stated by the Commission on Human Rights on several occasions, "can amount to cruel, inhuman or degrading punishment or even to torture".[15]

21. Discriminatory attitudes to members of sexual minorities can mean that they are perceived as less credible by law enforcement agencies or not fully entitled to an equal standard of protection, including protection against violence carried out by non-State agents. The Special Rapporteur has received information according to which members of sexual minorities, when arrested for other alleged offences or when lodging a complaint of harassment by third parties, have been subjected to further victimization by the police, including verbal, physical and sexual assault, including rape. Silencing through shame or the threat by law enforcement officials to publicly disclose the birth sex of the victim or his or her sexual orientation (inter alia, to family members) may keep a considerable number of victims from reporting abuses.

22. Furthermore, the Special Rapporteur has received information according to which members of sexual minorities have received inadequate medical treatment in public hospitals — even after having been victims of assault — on grounds of their gender identity. As regards the provision of medical treatment, prisoners diagnosed as suffering from gender dysphoria, once detained, are often said to be denied medical treatment for gender dysphoria, such as hormone therapy.

23. When detained, members of sexual minorities are often considered as a sub-category of prisoners and detained in worse conditions of detention than the larger prison population. The Special Rapporteur has received information according to which members of sexual minorities in detention have been subjected to considerable violence, especially sexual assault and rape, by fellow inmates and, at times, by prison guards. Prison guards are also said to fail to take reasonable measures to abate the risk of violence by fellow inmates or even to have encouraged sexual violence, by identifying members of sexual minorities to fellow inmates for that express purpose. Prison guards are believed to use threats of transfer to main detention areas, where members of sexual minorities would be at high risk of sexual attack by other inmates. In particular, transsexual and transgendered persons, especially male-to-female transsexual inmates, are said to be at great risk of physical and sexual abuse by prison guards and fellow prisoners if placed within the general prison population in men's prisons.

24. The Special Rapporteur has received information according to which members of sexual minorities have been subject to cruel, inhuman or degrading treatment in non-penal institutions. In a number of countries, members of sexual minorities are said to have been involuntarily confined to state medical institutions, where they were allegedly subjected to forced treatment on grounds of their sexual orientation or gender identity, including electric shock therapy and other "aversion therapy", reportedly causing psychological and physical harm. The Special Rapporteur notes, in particular, that the World Health Organization removed homosexuality from its International Classification of Diseases-10 (ICD-10) in 1992. The Special Rapporteur has received information according to which, in a number of countries, persons suspected of homosexuality have been subjected to compulsory, intrusive and degrading medical examinations of anus and penis in order to determine whether penetration had taken place, inter alia, within the context of enlistment for military service.

25. Finally, the Special Rapporteur notes and shares the views of the Special Representative of the Secretary-General on human rights defenders regarding "greater risks ... faced by defenders of the rights of certain groups as their work challenges social structures, traditional practices and interpretation of religious precepts that may have been used over long periods of time to condone and justify violation of the human rights of members of such groups. Of special importance will be ... human rights groups and those who are active on issues of sexuality, especially sexual orientation ... These groups are often very vulnerable to prejudice, to marginalization and to public repudiation, not only by State forces but other social actors."[16]

D. Torture and impunity

26. The Special Rapporteur has noted in the past that the single most important factor in the proliferation and continuation of torture is the persistence of impunity, be it of a de jure or de facto nature. Causes of impunity of a de jure nature encompass measures relieving perpetrators of torture of legal liability, inter alia, by providing an unrealistically short period of prescription, adopting acts of impunity or by granting amnesties to perpetrators of grave violations of human rights. It is with regard to the granting of amnesties that the Special Rapporteur wishes to review the recent developments in international law on the question of the compatibility of amnesties with States' international obligations to combat torture.

27. The Special Rapporteur would like to draw Governments' attention to the Vienna Declaration and Programme of Action, which stipulates that "States should abrogate legislation leading to impunity for those responsible for grave violations of human rights such as torture and prosecute such violations, thereby providing a firm basis for the rule of law".[17] The Special Rapporteur further notes the report "Question of the impunity of perpetrators of human rights violations (civil and political)", prepared by Mr. Louis Joinet of the Subcommission on Prevention of Discrimination and Protection of Minorities, pursuant to Subcommission decision 1996/119, which states that "amnesty cannot be accorded to perpetrators of violations before the victims have obtained justice by means of an effective remedy" and that "the right to justice entails obligations for the State: to investigate violations, to prosecute the perpetrators and, if their guilt is established, to punish them".[18] As requested by the Subcommission in its decision 1996/119, Mr. Joinet drafted a set of principles for the protection and promotion of human rights through action to combat impunity,[19] in which he states that "there can be no just and lasting reconciliation unless the need for justice is effectively justified" and that "national and

international measures must be taken ... with a view to securing jointly, in the interests of the victims of human rights violations, observance of the right to know and, by implication, the right to the truth, the right to justice and the right to reparation, without which there can be no effective remedy against the pernicious effects of impunity". The Set of Principles further states that "even when intended to establish conditions conducive to a peace agreement or to foster national reconciliation, amnesty and other measures of clemency shall be kept within the following bounds: (a) the perpetrators of serious crimes under international law may not benefit from such measures until such time as the State has met" their "obligations to investigate violations, to take appropriate measures in respect of the perpetrators, particularly in the area of justice, by ensuring that they are prosecuted, tried and duly punished, to provide victims with effective remedies and reparation for the injuries suffered, and to take acts to prevent the recurrence of such violations".[20]

28. The Special Rapporteur wishes to stress the duty of States to bring to justice perpetrators of torture as an integral part of the victims' right to reparation, as noted by Mr. Joinet, of the Subcommission on Prevention of Discrimination and Protection of Minorities, and the last independent expert of the Commission on Human Rights on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, Mr. M. Cherif Bassiouni, in their reports[21] and in the Basic Principles and Guidelines on the Right to Reparation for Victims of Gross Violations of Human Rights and Humanitarian Law.[22] In his final report, Mr. Bassiouni revised the basic principles and guidelines, holding that the victim's right to a remedy encompasses (a) access to justice; (b) reparation for the harm suffered; and (c) access to factual information concerning the violations.[23] He furthermore stated that "violations of international human rights and humanitarian law norms that constitute crimes under international law carry the duty to prosecute persons alleged to have committed these violations, to punish perpetrators adjudged to have committed these violations, and to cooperate with and assist States and appropriate international judicial organs in the investigation and prosecution of these violations".[24]

29. The Special Rapporteur further wishes to refer to the jurisprudence of the Human Rights Committee, which, in its General Comment 20, of 3 April 1992, on the prohibition of torture, concluded that amnesties are generally incompatible with the duty of States to investigate such acts of torture; to guarantee freedom from such acts within their jurisdiction; and to ensure that they do not occur in future. In the case of Hugo Rodríguez v. Uruguay, the Committee reaffirmed its position that amnesties for gross violations of human rights are incompatible with the obligations of the State party under the Covenant and expressed concern that in adopting the amnesty law in question, the State party has contributed to an atmosphere of impunity which may undermine the democratic order and give rise to further human rights violations. The Special Rapporteur notes that, in its conclusions and recommendations following the review of the third periodic report of Peru, the Committee against Torture expressed concern about "the use of, in particular, the amnesty laws which preclude prosecution of alleged torturers who must, according to articles 4, 5 and 12 of the Convention, be investigated and prosecuted where appropriate"[25] and recommends that "amnesty laws should exclude torture from their reach".[26]

30. The Special Rapporteur notes the extensive jurisprudence developed by the Inter-American Commission and Court of Human Rights on the question of amnesty legislation. The Inter-American Commission on Human Rights has condemned amnesty laws issued by democratic successor Governments in the name of reconciliation, even if approved by a plebiscite, and has held them to be in breach of the 1969 American Convention on Human Rights, in particular the duty of the State to respect and ensure rights recognized in the Convention (article 1(1)), the right to due process of law (article 8) and the right to an effective judicial remedy (article 25). The Commission held further that amnesty laws extinguishing both criminal and civil liability disregarded the legitimate rights of the victims' next of kin to reparation and that such measures would do nothing to further reconciliation. The Commission held that, as regards countries that had not ratified the American Convention on Human Rights at the time of the perpetration of human rights violations subject to the amnesty laws, the violations were incompatible with article XVIII (right to a fair trial) and with the above-mentioned provisions of the American Convention.[27] Finally, the Commission clarified that new democratic Governments bear responsibility for the human rights violations of previous (military)

regimes, in accordance with the principle of the State's continuing responsibility in international law, and hence for the non-revocation of a self-amnesty law, promulgated by a previous military dictatorship.[28]

31. The Special Rapporteur would like to draw the attention of the General Assembly to a recent judgement of the Inter-American Court of Human Rights, Caso Barrios Altos, Chumbipuma Aguirre y otros v. Perú (14 March 2001). The Court held that amnesty provisions, prescription and the exclusion of responsibility which have the effect of impeding the investigation and punishment of those responsible for grave violations of human rights, such as torture, summary, extrajudicial or arbitrary executions, and enforced disappearances, are prohibited as contravening human rights of a non-derogable nature recognized by international human rights law. The Court considered the laws in question to be in violation of the duty on the State to give domestic legal effect to the rights contained in the Convention (article 2). The Court held further that the self-amnesty laws lead to the victims' defencelessness and to the perpetuation of impunity, and, for this reason, were manifestly incompatible with the letter and spirit of the Convention. The Court concluded by stating that as a consequence of the manifest incompatibility of the self-amnesty laws with the Inter-American Convention on Human Rights, the laws concerned have no legal effect and may not continue representing an obstacle to the investigation of the facts of the case, nor for the identification and punishment of those responsible.

32. The Special Rapporteur would also like to draw the attention of the General Assembly to the fact that, in conjunction with the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the independence of judges and lawyers, and with the Chairman of the Working Group on Enforced or Involuntary Disappearances, he had sent a communication to the Government of Peru regarding the amnesty laws promulgated in June and July 1995. The Special Rapporteurs considered, inter alia, that those laws denied the right to an effective remedy for victims of human rights violations and, therefore, were contrary to the spirit of various international human rights instruments.[29]

33. In the light of the consistent international jurisprudence suggesting that the prohibition of amnesties leading to impunity for serious human rights has become a rule of customary international law, the Special Rapporteur expresses his opposition to the passing, application and non-revocation of amnesty laws (including laws in the name of national reconciliation, the consolidation of democracy and peace, and respect for human rights), which prevent torturers from being brought to justice and hence contribute to a culture of impunity. As before, he calls on States to refrain from granting or acquiescing in impunity at the national level, inter alia, by the granting of amnesties, such impunity itself constituting a violation of international law.

E. Prevention and transparency

34. The Special Rapporteur would like to reiterate[30] that one of the main factors constituting a condition of impunity is the prevalence of the opportunity to commit the crime of torture in the first place. This is why international standards require that the length of incommunicado detention be restricted to hours rather than days, that lawyers, physicians and family members have prompt access to detainees, and that detainees have early access to the judicial system. As stated on several occasions, the Special Rapporteur also recommends external supervision of all places of detention by independent officials, such as judges, prosecutors, ombudsmen and national or human rights commissions, and by civil society. He also recommends the video-recording of interrogation sessions and the presence of the person's lawyer at such sessions, and supports monitoring by independent monitoring institutions, such as the International Committee of the Red Cross and the Committee on the Prevention of Torture under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the mechanism contemplated by the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, should it be adopted with at least the powers enjoyed by the two mechanisms referred to above.

35. The Special Rapporteur is convinced that there needs to be a radical transformation of assumptions in international society about the nature of deprivation of liberty. The basic paradigm, taken for granted over at least a century, is that prisons, police stations and the like are closed and secret places, with activities inside hidden from public view. The international standards referred to are conceived of as often unwelcome

exceptions to the general norm of opacity, merely the occasional ray of light piercing the pervasive darkness. What is needed is to replace the paradigm of opacity by one of transparency. The assumption should be one of open access to all places of deprivation of liberty. Of course, there will have to be regulations to safeguard the security of the institution and individuals within it, and measures to safeguard their privacy and dignity. But those regulations and measures will be the exception, having to be justified as such; the rule will be openness.

36. This proposed reversal of our conceptions is, of course, motivated by a desire to prevent human rights violations within the Special Rapporteur's mandate, and the Special Rapporteur expects that it will give rise to doubts and misgivings, especially among law enforcement and penitentiary authorities. It is his belief, however, that the approach he is proposing could also be of great value precisely to such authorities. In the first place it would help some authorities develop a constituency to support the granting of needed budgetary resources, frequently wholly inadequate because of the low political priority for the area. The same constituency could help resist the usually counter-productive demand to put more and more people into the human equivalent of dust bins, their custodians being reduced to the status of guardians of human rubbish dumps. It could draw attention to the often parlous conditions of work, residence and sustenance of police and prison personnel, which in turn could contribute to their being trained, paid and valued to act as professionals. Organizations of civil society could also help in the provision of resources, for example, by way of food, goods, medication, legal advice, education and so on. Further, all of this would make false accusations of abuse — always difficult to refute — much harder to sustain.

37. The kinds of access implicit in this conception are not in themselves novel. The Special Rapporteur has encountered different manifestations of it in all parts of the world, but usually on an ad hoc or localized basis in some prisons or police stations. They are generally the exception, not the rule. The Special Rapporteur notes also that architecture will have an important role to play.

38. Accordingly, while urging serious national and international attention to the need to overcome impunity by ensuring individual accountability, the Special Rapporteur also recommends measures of transparency that could go far to preventing torture and ill-treatment in the first place.

F. Recommendations

39. In his last report to the Commission on Human Rights (E/CN.4/2001/66) the Special Rapporteur revised the recommendations that he had compiled in 1994 (E/CN.4/1995/34) into one global recommendation — an end to de facto or de jure impunity. He would like to encourage States to reflect upon them as a useful tool in efforts to combat torture. A further revised version of the recommendations follows:

(a) Countries that are not party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment or the International Covenant on Civil and Political Rights should sign and ratify or accede to these Conventions. Torture should be designated and defined as a specific crime of the utmost gravity in national legislation. In countries where the law does not give the authorities jurisdiction to prosecute and punish torture, wherever the crime has been committed and whatever the nationality of the perpetrator or victim (universal jurisdiction), the enactment of such legislation should be made a priority;

(b) Countries should sign and ratify or accede to the Rome Statute of the International Criminal Court with a view to bringing to justice perpetrators of torture in the context of genocide, crimes against humanity and war crimes and at the same time ensure that their national courts also have jurisdiction over these crimes on the basis of universal jurisdiction;

(c) The highest authorities should publicly condemn torture in all its forms whenever it occurs. The highest authorities, in particular those responsible for law enforcement activities, should make public the fact that those in charge of places of detention at the time abuses are perpetrated will be held personally responsible for the abuses. In order to give effect to these recommendations, the authorities should, in particular, make unannounced visits to police stations, pre-trial detention facilities and penitentiaries known for the prevalence of such treatment. Public campaigns aimed at informing the civilian population at large of their rights with respect to arrest and detention, in

particular to lodge complaints regarding treatment received at the hands of law enforcement officials, should be undertaken;

(d) Interrogation should take place only at official centres and the maintenance of secret places of detention should be abolished under law. It should be a punishable offence for any official to hold a person in a secret and/or unofficial place of detention. Any evidence obtained from a detainee in an unofficial place of detention and not confirmed by the detainee during interrogation at official locations should not be admitted as evidence in court. No statement of confession made by a person deprived of liberty, other than one made in presence of a judge or a lawyer, should have a probative value in court, except as evidence against those who are accused of having obtained the confession by unlawful means. Serious consideration should be given to introducing video- and audio-taping of proceedings in interrogation rooms;

(e) Regular inspection of places of detention, especially when carried out as part of a system of periodic visits, constitutes one of the most effective preventive measures against torture. Independent non-governmental organizations should be authorized to have full access to all places of detention, including police lock-ups, pre-trial detention centres, security service premises, administrative detention areas and prisons, with a view to monitoring the treatment of persons and their conditions of detention. When inspection occurs, members of the inspection team should be afforded an opportunity to speak privately with detainees. The team should also report publicly on its findings. In addition, official bodies should be set up to carry out inspections, such teams being composed of members of the judiciary, law enforcement officials, defence lawyers and physicians, as well as independent experts and other representatives of civil society. Ombudsmen and national or human rights institutions should be granted access to all places of detention with a view to monitoring the conditions of detention. When it so requests, the International Committee of the Red Cross should be granted access to places of detention;

(f) Torture is most frequently practised during incommunicado detention. Incommunicado detention should be made illegal, and persons held incommunicado should be released without delay. Information regarding the time and place of arrest as well as the identity of the law enforcement officials having carried out the arrest should be scrupulously recorded; similar information should also be recorded regarding the actual detention. Legal provisions should ensure that detainees are given access to legal counsel within 24 hours of detention. Security personnel who do not honour such provisions should be punished. In exceptional circumstances, under which it is contended that prompt contact with a detainee's lawyer might raise genuine security concerns and where restriction of such contact is judicially approved, it should at least be possible to allow a meeting with an independent lawyer, such as one recommended by a bar association. In all circumstances, a relative of the detainee should be informed of the arrest and place of detention within 18 hours. At the time of arrest, a person should undergo a medical inspection, and medical inspections should be repeated regularly and should be compulsory upon transfer to another place of detention. Each interrogation should be initiated with the identification of all persons present. All interrogation sessions should be recorded and preferably video-recorded, and the identity of all persons present should be included in the records. Evidence from non-recorded interrogations should be excluded from court proceedings. The practice of blindfolding and hooding often makes the prosecution of torture virtually impossible, as victims are rendered incapable of identifying their torturers. Thus, blindfolding or hooding should be forbidden. Those legally arrested should not be held in facilities under the control of their interrogators or investigators for more than the time required by law to obtain a judicial warrant of pre-trial detention which, in any case, should not exceed a period of 48 hours. They should accordingly be transferred to a pre-trial facility under a different authority at once, after which no further unsupervised contact with the interrogators or investigators should be permitted;

(g) Administrative detention often puts detainees beyond judicial control. Persons under administrative detention should be entitled to the same degree of protection as persons under criminal detention. At the same time, countries should consider abolishing, in accordance with relevant international standards, all forms of administrative detention;

(h) Provisions should give all detained persons the ability to challenge the lawfulness of the detention — e.g., through *habeas corpus* or *amparo*. Such procedures should function expeditiously;

(i) Countries should take effective measures to prevent prisoner-on-prisoner violence by investigating reports of such violence, prosecuting and punishing those responsible, and offering protective custody to vulnerable individuals, without marginalizing them from the prison population more than necessitated by the needs of protection and without rendering them at further risk of ill-treatment. Training programmes should be considered to sensitize prison officials as to the importance of taking effective steps to prevent and remedy prisoner-on-prisoner abuse and to provide them with the means to do so. In accordance with the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[31] prisoners should be segregated along the lines of gender, age and seriousness of the crime, as well as first-time/repeat offenders and pre-trial/convicted detainees;

(j) When a detainee or relative or lawyer lodges a torture complaint, an inquiry should always take place and, unless the allegation is manifestly ill-founded, public officials involved should be suspended from their duties pending the outcome of the investigation and any subsequent legal or disciplinary proceedings. Where allegations of torture or other forms of ill-treatment are raised by a defendant during trial, the burden of proof should shift to the prosecution to prove beyond reasonable doubt that the confession was not obtained by unlawful means, including torture and similar ill-treatment. Serious consideration should also be given to the creation of witness protection programmes for witnesses to incidents of torture and similar ill-treatment which ought to extend fully to cover persons with a previous criminal record. In cases where current inmates are at risk, they ought to be transferred to another detention facility where special measures for their security should be taken. A complaint that is determined to be well founded should result in compensation to the victim or relatives. In all cases of death occurring in custody or shortly after release, an inquiry should be held by judicial or other impartial authorities. A person in respect of whom there is credible evidence of responsibility for torture or severe maltreatment should be tried and, if found guilty, punished. Legal provisions granting exemptions from criminal responsibility for torturers, such as amnesties, indemnity laws etc., should be abrogated. If torture has occurred in an official place of detention, the official in charge of that place should be disciplined or punished. Military tribunals should not be used to try persons accused of torture. Independent national authorities, such as a national commission or ombudsman with investigatory and/or prosecutorial powers, should be established to receive and to investigate complaints. Complaints about torture should be dealt with immediately and should be investigated by an independent authority with no relation to that which is investigating or prosecuting the case against the alleged victim. Furthermore, the forensic medical services should be under judicial or other independent authority, not under the same governmental authority as the police and the penitentiary system. Public forensic medical services should not have a monopoly of expert forensic evidence for judicial purposes. In that context, countries should be guided by the Principles on the Effective Investigation and Documentation of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment as a useful tool in the effort to combat torture;[32]

(k) Training courses and training manuals should be provided for police and security personnel and, when requested, assistance should be provided by the United Nations programme of advisory services and technical assistance. Security and law enforcement personnel should be instructed on the Standard Minimum Rules for the Treatment of Prisoners,[33] the Code of Conduct for Law Enforcement Officials,[34] the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[35] and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[31] and these instruments should be translated into the relevant national languages. In the course of training, particular stress should be placed upon the principle that the prohibition of torture is absolute and non-derogable and that there exists a duty to disobey orders from a superior to commit torture. Governments should scrupulously translate into national guarantees the international standards they have approved and should familiarize law enforcement personnel with the rules they are expected to apply;

(l) Health-sector personnel should be instructed on the Principles of Medical Ethics relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Detainees and Prisoners against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[36] Governments and professional medical associations should take strict measures against medical personnel that play a role, direct or indirect, in

torture. Such prohibition should extend to such practices as examining detainees to determine their "fitness for interrogation" and procedures involving ill-treatment or torture, as well as providing medical treatment to ill-treated detainees so as to enable them to withstand further abuse. In other cases, the withholding of appropriate medical treatment by medical personnel should be subject to sanction.

Notes

[1] See E/CN.4/2001/66, paras. 4-11.

[2] Ibid., para. 115.

[3] See, in particular, E/CN.4/1998/38/Add.2, on the visit of the Special Rapporteur to Mexico, and E/CN.4/2001/66/Add.2, on the visit of the Special Rapporteur to Brazil.

[4] General Assembly resolution 47/133 of 18 December 1992.

[5] The third preambular para. of the Declaration describes "enforced disappearance" in the sense that "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law".

[6] E/CN.4/1983/14, para. 131.

[7] See, for example, conclusions and recommendations on the second periodic report of Algeria (A/52/44, para. 79), on the initial report of Namibia (A/52/44, para. 247) and on the initial report of Sri Lanka (A/53/44, paras. 249 and 251).

[8] CCPR/C/50/D/440/1990 (24 March 1994), para. 5.4.

[9] For further discussion on the case-law regarding "disappearance" as torture, see Nigel Rodley, *The Treatment of Prisoners in International Law*, 2nd ed. (Oxford, Clarendon Press, 1999), pp. 257-261.

[10] Article 7 (Crimes against humanity) of the Rome Statute of the International Criminal Court (17 July 1998) defines "enforced disappearance of persons" as "the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time".

[11] See, in particular, Amnesty International, *Enforced Disappearances and Political Killings: Human Rights Crises in the 1990s: A Manual for Action* (AI Index: ACT 33/01/94).

[12] "... the assessment of what constitutes inhuman or degrading treatment falling within the meaning of article 7 depends on all the circumstances of the case, such as the duration and manner of the treatment, its physical and mental effects as well as the sex, age and state of health of the victim". Human Rights Committee, Antti Voulanne v. Finland (A/44/40), chap. X, sect. J, para. 9.2.

[13] See Nigel Rodley, op. cit., p. 261.

[14] See, in particular, Amnesty International, "Crimes of hate, conspiracy of silence: Torture and ill-treatment based on sexual identity" (ACT 40/016/2001).

[15] See, inter alia, resolution 2001/62 of 25 April 2001, para. 5.

[16] E/CN.4/2001/94, para. 89 (g).

[17] A/CONF.157/23 (25 July 1993), para. 60.

[18] E/CN.4/Sub.2/1997/20/Rev.1, paras. 32 and 27.

[19] Ibid., annex II.

[20] Ibid., principles 25 and 18.

[21] "Question of the impunity of perpetrators of human rights violations (civil and political)" (E/CN.2/Sub.2/1997/20/Rev.1) and "Report of the independent expert on the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms ..." (E/CN.4/1999/65).

[22] E/CN.4/Sub.2/1996/17, annex.

[23] E/CN.4/2000/62, annex, para. 11.

[24] Ibid., para. 4.

[25] A/55/44, para. 59 (g).

[26] Ibid., para. 61 (d).

[27] "Annual report of the Inter-American Commission on Human Rights, 1992-1993" (OEA/Ser.L/V/II.83, 12 March 1993), p. 51.

[28] See Case No. 10,843 (Héctor Marcial Garay Hermosilla y otros v. Chile) in "Annual report of the Inter-American Commission on Human Rights, 1996".

[29] See E/CN.4/1996/35, para. 133.

[30] See also conclusions and recommendations in E/CN.4/2001/66, paras. 1,307-1,316.

[31] General Assembly resolution 43/173, annex.

[32] See General Assembly resolution 55/89, annex.

[33] Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 1955.

[34] General Assembly resolution 34/169, annex.

[35] Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 1990.

[36] General Assembly resolution 37/194, annex.

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International drug control

Implementation of the outcome of the twentieth special session of the General Assembly devoted to countering the world drug problem together

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 55/65 of 4 December 2000. It provides a comprehensive overview of the implementation of the outcome of the twentieth special session of the General Assembly devoted to countering the world drug problem together, held in New York from 8 to 10 June 1998, including the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, and Assembly resolution 55/65.

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I. Introduction

1. At its twentieth special session, devoted to countering the world drug problem together, the General Assembly adopted (a) Political Declaration (resolution S-20/2, annex), (b) the Declaration on the Guiding Principles of Drug Demand Reduction (resolution S-20/3, annex), and (c) measures to enhance international cooperation to counter the world drug problem (resolution S-20/4), including the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors (resolution S-20/4 A), measures to prevent the illicit manufacture, import, export, trafficking, distribution and diversion of precursors used in the illicit manufacture of narcotic drugs and psychotropic substances (resolution S-20/4 B), measures to promote judicial cooperation (resolution S-20/4 A), measures to counter money-laundering (resolution S-20/4 D) and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (resolution S-20/4 E). In paragraph 20 of the Political Declaration adopted at its twentieth special session, the Assembly called upon all States to report biennially to the Commission on Narcotic Drugs on their efforts to meet the goals and targets for the years 2003 and 2008 and requested the Commission to analyse those reports in order to enhance the cooperative effort to combat the world drug problem.

2. In its resolution 54/132 of 17 December 1999, the General Assembly adopted the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, annexed to that resolution.

3. The General Assembly, in its resolution 55/65 of 4 December 2000, entitled "International cooperation against the world drug problem", called upon all States to report biennially to the Commission on Narcotic Drugs on their efforts to meet the goal and targets for the years 2003 and 2008, as set out in the Political Declaration adopted at the twentieth special session, in accordance with the terms established in the guidelines adopted by the Commission at its reconvened forty-second session.[1] The Assembly urged all Member States to implement the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction and to strengthen their national efforts to counter the abuse of illicit drugs among their population, in particular among children and young people. The Assembly requested the Secretary-General to submit to it at its fifty-sixth session a comprehensive report on the implementation of the outcome of its twentieth special session, including on the Action Plan, and resolution 55/65. The present report has been prepared in response to that request.

II. Goals and targets set by the General Assembly at its twentieth special session

4. The Political Declaration constitutes a high-level commitment to address all elements of the drug problem at both the national and international levels in a comprehensive manner. It sets clear goals and targets to be achieved in 2003 and 2008. It emphasizes the importance of following a balanced approach to reduce drug abuse, eliminate illicit drug supply and counter drug trafficking.

5. The adopted action plans and measures serve as a catalyst for action in the implementation of the international drug control treaties. They also complement the Global Programme of Action adopted by the General Assembly at its seventeenth special session (resolution S-17/2, annex). The action plans and measures adopted by the Assembly at its twentieth special session have become a global point of reference for Governments. Member States have regarded them as a guide for action at the national, regional and international levels. For example, the Commission on Narcotic Drugs at its forty-fourth session was informed of several regional actions, such as the declaration endorsed by the States of Central Asia at an international conference held in Tashkent in October 2000 to strengthen regional cooperation in combating drug trafficking and abuse. Many States have updated their national drug control strategies or plans to include the goals and targets set by the Assembly at its twentieth special session. The momentum built up at the twentieth special session of the General Assembly has been maintained and enhanced within the United Nations. In April 2000, for example, the Executive Director of the United Nations International Drug Control Programme (UNDCP) was invited to brief the Security Council on the drug situation in Afghanistan, the first time that the drug issue featured on the agenda of the Security Council. That was evidence that the international community had begun to view illicit drugs

as a major security threat to all. In September 2000, world leaders gathered at the Millennium Summit of the United Nations renewed their commitment to counter the world drug problem.

A. Goals and targets set for the year 2003

1. Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors

6. In paragraph 13 of the Political Declaration adopted by the General Assembly at its twentieth special session, Member States decided to devote particular attention to the emerging trends in the illicit manufacture of, trafficking in and consumption of synthetic drugs. They called for the establishment or strengthening by the year 2003 of national legislation and programmes giving effect to the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors.

2. Adoption of legislation and programmes against money-laundering

7. In paragraph 15 of the Political Declaration, Member States undertook to make special efforts against the laundering of money derived from drug trafficking and, in that context, emphasized the importance of strengthening international, regional and subregional cooperation. In order to achieve that goal, they recommended that States that had not yet done so adopt by the year 2003 national money-laundering legislation and programmes in accordance with relevant provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[2] as well as the measures for countering money-laundering adopted at the twentieth special session.

3. Promotion of cooperation among judicial and law enforcement authorities

8. In paragraph 16 of the Political Declaration, Member States undertook to promote multilateral, regional, subregional and bilateral cooperation among judicial and law enforcement authorities to deal with criminal organizations involved in drug offences and related criminal activities, in accordance with the measures to promote judicial cooperation adopted at the twentieth special session. To that end, States were encouraged to review and, where appropriate, to strengthen by the year 2003 the implementation of those measures.

4. Declaration on the Guiding Principles of Drug Demand Reduction

9. In paragraph 17 of the Political Declaration, Member States recognized that demand reduction was an indispensable pillar in the global approach to countering the world drug problem. They committed themselves to introducing into their national programmes and strategies the provisions set out in the Declaration on the Guiding Principles of Drug Demand Reduction and to working closely with UNDCP to develop action-oriented strategies to assist in the implementation of the Declaration. They established the year 2003 as a target date for new or enhanced drug demand reduction strategies and programmes set up in close collaboration with public health, social welfare and law enforcement authorities.

B. Goals and targets for the year 2008

1. Measures for the control of precursors

10. In paragraph 14 of the Political Declaration, Member States decided to devote particular attention to the measures for the control of precursors adopted at the twentieth special session and to establish the year 2008 as the target date for States, with a view to eliminating or reducing significantly the illicit manufacture and marketing of and trafficking in psychotropic substances, including synthetic drugs, and the diversion of precursors.

2. Achievements of significant and measurable results in demand reduction

11. In paragraph 17 of the Political Declaration, Member States committed themselves to achieving significant and measurable results in the field of demand reduction by the year 2008.

3. Eradication of illicit drug crops through alternative development

12. In paragraph 18 of the Political Declaration, Member States reaffirmed the need for a comprehensive approach to the elimination of illicit narcotic crops in line with the Action Plan on International Cooperation on the Eradication of Illicit

Drug Crops and on Alternative Development, adopted at the twentieth special session. They emphasized the need for eradication programmes and law enforcement measures to counter illicit cultivation, production, manufacture and trafficking, paying special attention to the protection of the environment, and, in that regard, strongly supported the work of UNDCP in the field of alternative development. In paragraph 19, Member States welcomed the global approach by UNDCP to the elimination of illicit crops and committed themselves to working closely with UNDCP to develop strategies with a view to eliminating or reducing significantly the illicit cultivation of the coca bush, the cannabis plant and the opium poppy by the year 2008.

III. Role of the Commission on Narcotic Drugs and follow-up action

13. At its forty-second session, held from 16 to 25 March 1999, the Commission on Narcotic Drugs examined its new mandates emanating from the twentieth special session of the General Assembly and adopted resolution 42/4, entitled "Guidelines for reporting by Governments on the implementation of the Global Programme of Action and on the progress achieved in meeting the goals and targets for the years 2003 and 2008, as set out in the Political Declaration adopted by the General Assembly at its twentieth special session".

14. At its reconvened forty-second session, held on 30 November and 1 December 1999, the Commission adopted resolution 42/11, entitled "Guidelines for reporting on the follow-up to the twentieth special session of the General Assembly". In that resolution, the Commission requested the Executive Director of UNDCP to prepare a biennial report on the implementation of the outcome of the twentieth special session of the General Assembly, based on information to be provided by Governments in response to a questionnaire adopted by the Commission. The Commission also requested the Executive Director to cover in its report the efforts made and the difficulties encountered by Governments in meeting the objectives and target dates agreed upon at the twentieth special session, on the basis of a comprehensive, confidential and balanced treatment of information covering all aspects of the drug problem. The report should also contain information on global trends, organized by region. UNDCP was called upon to draw on its expertise and experience gained from its global technical assistance programmes and on information collected under various relevant questionnaires.

IV. Implementation of the outcome of the twentieth special session of the General Assembly

A. Reporting by Member States on the outcome of the twentieth special session

15. As at 30 June 2000, the date set by the Commission on Narcotic Drugs for Governments to submit to the Executive Director their replies to the questionnaire, replies had been received from the Governments of only 15 countries and areas: Belarus, Colombia, Ecuador, Finland, Grenada, Lebanon, Mexico, Morocco, Netherlands, New Zealand, Republic of Korea, Switzerland, Tajikistan and Ukraine, as well as British Virgin Islands. By 8 November 2000, 81 replies had been received, on the basis of which a report was prepared for the consideration of the Commission at its forty-fourth session.

16. The Commission on Narcotic Drugs examined the first biennial report of the Executive Director on the implementation of the outcome of the twentieth special session of the General Assembly (E/CN.7/2001/2) at its forty-fourth session, held from 20 to 29 March 2001. At that session, the Commission requested the Executive Director to report on those replies received after 8 November 2000 at its reconvened forty-fourth session, to be held in December 2001. At its sixth inter-sessional meeting, held on 18 June 2001, the Commission requested the Executive Director to prepare a consolidated report encompassing all of the replies received during the first reporting cycle (the 81 replies received by 8 November 2000 and the additional 28 replies received by 1 July 2001),[3] for its consideration at its reconvened forty-fourth session. The consolidated report will include an assessment of progress made by Governments during the first reporting cycle and facilitate the comparison with subsequent reports covering the reporting cycles ending in 2003, 2005, 2007 and 2008.

17. At its forty-fourth session, the Commission on Narcotic Drugs adopted resolution 44/2, entitled "First biennial report of the Executive Director on the progress achieved by Governments in meeting the goals and targets for the years 2003 and 2008 set out in the Political Declaration adopted by the General Assembly at its twentieth special session, devoted to countering the world drug problem together", in which it requested the Executive Director to follow certain additional guidelines in preparing subsequent biennial reports. In the same resolution, the Commission called upon the Executive Director to pay particular attention, in the biennial report to be submitted to the Commission at its forty-sixth session, in 2003, to the progress achieved and setbacks encountered in meeting the targets for that year set out in the Political Declaration. The General Assembly will also be appraised of the assessment of the Commission on the progress achieved in meeting the objectives for 2003 set out in the Political Declaration, in a report to be submitted to the Assembly in 2003. A final report will be submitted to the Assembly in 2008 on the progress made by Governments during the 10-year time frame in meeting the goals and targets set out in the Political Declaration. In its resolution 44/2, the Commission requested the Executive Director to identify elements of the biennial questionnaire that might need adjustment, taking into account the difficulties encountered and deficiencies perceived in completing the first biennial questionnaire, and to submit proposals for amendments to the Commission for adoption at its reconvened forty-fourth session, in December 2001, including an improved layout and supporting notes for guidance. In response to that request, the Executive Director will present a revised biennial questionnaire to the Commission at its reconvened forty-fourth session. A draft version of the revised biennial questionnaire was presented to the inter-sessional meeting of the Commission held in Vienna on 18 June 2001.

B. Overview of the findings of the first biennial report of the Executive Director, considered by the Commission on Narcotic Drugs at its forty-fourth session

18. The first biennial report of the Executive Director on the implementation of the outcome of the twentieth special session of the General Assembly (E/CN.7/2001/2), presented to the Commission on Narcotic Drugs at its forty-fourth session, provided an initial assessment of progress made by Governments in implementing the action plans and measures adopted by the General Assembly at its twentieth special session, identifying difficulties encountered by Governments and areas where additional efforts were required. While significant progress has been made in some areas, as reflected in the positive trends in the implementation of the action plans, major challenges will need to be met in order for all the objectives to be attained by 2003 and 2008.

19. Most of the Governments that replied to the questionnaire (83 per cent) had adopted a national drug strategy or plan. In many cases, the national strategic framework and programmes placed special emphasis on the synergies and complementarity between control measures, health, law enforcement policies and programmes. One notable achievement was that most Governments had incorporated into their national drug control strategies on action plans elements of the guiding principles of drug demand reduction. In view of the high political commitment attached to combating the drug problem and the importance of coordination and leadership, in several States the national coordinating entities for the implementation of the national drug strategy were chaired by the head of Government. In other States, national inter-agency committees had been established at the ministerial level (E/CN.7/2001/2, paras. 83, 84 and 86). The main challenge for most Governments was to ensure the effective implementation of the national strategy or plan.

V. Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction

20. Section VIII of the questionnaire dealt with drug demand reduction. It covered political and strategic responses, information resources, methods of working, working with vulnerable or special populations, dissemination and education, and training and coordination issues. A national strategy for drug demand reduction is important for coordinating responses and ensuring a balanced approach between the measures to reduce drug demand and supply

enshrined in the Declaration on the Guiding Principles of Drug Demand Reduction. Such a strategy also provides a basis for promoting multisectoral and community-wide responses. Of the Governments that completed the questionnaire, 89 per cent reported having a national strategy for drug demand reduction; in most cases, the strategy incorporated elements of the guiding principles of drug demand reduction. Almost every State with such a national strategy also had a central coordinating entity responsible for its implementation, usually the Ministry of Health, the Ministry of Justice or a multisectoral drug commission. The majority of States with national strategies had a framework in place for assessing the results achieved. Two thirds of all Governments that completed the questionnaire reported that they had a national or regional programme for research on drug demand reduction, although the resources available for that activity varied widely.

21. In terms of prevention, about three quarters of the Governments reported relatively extensive school-based drug education programmes and about one third of all programmes were reported to be "gender-sensitive". Programmes for the development of "life skills" were more commonly reported in school settings, although 28 per cent of respondents reported extensive programmes for "life skills" in prison settings.

22. With reference to treatment and rehabilitation services, detoxification was the most commonly reported service provided in specialist centres. Twenty-two per cent of the Governments reported extensive detoxification facilities within the criminal justice system. The provision of outreach programmes and extensive activities and testing programmes for dealing with infectious diseases was reported by nearly one half of the responding Governments.

23. Many Governments reported the existence of guidelines for prevention activities, treatment services and rehabilitation services. Such guidelines took into account cultural diversity and specific needs relating to gender, age and socially, culturally and geographically marginalized groups in the population. The importance of providing demand reduction activities targeting particularly vulnerable persons appeared to be commonly accepted. Groups identified as vulnerable included sex workers, prisoners, children with drug-abusing parents, indigenous populations, street children and the homeless, ethnic minorities, young offenders and economically marginalized persons. Most Governments reported that their national strategies for drug demand reduction included public information campaigns, taking into account the social and cultural characteristics of the population. Authorities were making special efforts to involve the community at large, placing special emphasis on the education system. The Commission on Narcotic Drugs at its forty-fourth session viewed the increase in the abuse of amphetamine-type stimulants as a development that required urgent action in all areas of demand reduction, particularly in the field of prevention.[4]

24. Sixty-five per cent of the Governments reported that their activities were monitored and evaluated to enable them to improve their national strategies for drug demand reduction. Many Governments also reported that they were involved in international coordinating mechanisms for the exchange of information at the bilateral, regional and multilateral levels, but less than one half of the Governments reported that they were maintaining a national database containing information on drug demand reduction. Where such a database existed, it was not usually linked with other multinational networks.

25. The need to base demand reduction activities on a sound and comprehensive assessment of the situation, using comparable measures, is central to the implementation of the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction. Replies to the biennial questionnaire reveal considerable deficiencies in that area, and the problem is likely to be even greater in those States for which replies were not received. To address that issue, UNDCP has launched the Global Assessment Programme on Drug Abuse. A better understanding of the scale and nature of the global drug abuse problem is essential, not only for the development of demand reduction policies but also for the assessment of their impact, thereby facilitating the assessment of the progress made in achieving the objectives set out in the Action Plan. The Global Assessment Programme incorporates the agreed core global indicators found in part II of the annual reports questionnaire, on the extent, patterns and trends of drug abuse, which is also a critical instrument for the assessment of the progress made in the implementation of the Action Plan. Through the Global Assessment Programme, UNDCP will support Member States in the establishment of information systems for collecting

data to be used in the development of more effective intervention in the field of drug demand reduction.

VI. Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development

26. In section II of its resolution 55/65, the General Assembly called upon States in which cultivation and production of illicit drug crops occurred to establish or reinforce, where appropriate, national mechanisms to monitor and verify illicit crops, and requested the Executive Director of UNDCP to report to the Commission on Narcotic Drugs at its forty-fourth session on the follow-up to the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development.

27. In response to requests by the General Assembly and the Commission on Narcotic Drugs, UNDCP, in cooperation with the European Space Agency, has launched a global programme for monitoring illicit crops consisting of a global support subprogramme to ensure that collected data are comparable at the international level and six national subprogrammes for the countries in which the bulk of the illicit crop cultivation occurs, namely Afghanistan, Bolivia, Colombia, the Lao People's Democratic Republic, Myanmar and Peru. The aim of the programme is to assist States in establishing monitoring systems by 2001 that will produce internationally comparable data and benchmarks for measuring progress towards the eradication goals set for 2008.

28. In almost all areas in which coca and opium are produced, women are involved in the cultivation of the illicit and other crops. Incorporating a gender perspective into alternative development projects has increased the effectiveness and sustainability of the activities. The result of the UNDCP assessment of gender-mainstreaming activities in alternative development are reflected in the UNDCP guidelines on the subject, which will be used for training and project development purposes.

29. Of the Governments that initially sent replies to the biennial questionnaire, only 31 addressed the questions relating to the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development. Most of those Governments reported that they had established comprehensive national plans to reduce and eliminate the cultivation of illicit drug crops, including programmes for alternative development. Since the twentieth special session of the General Assembly, comprehensive alternative development programmes had been developed or enhanced in States directly affected by illicit drug crop cultivation, with support provided by the international community and direct investment by Governments. Those measures had contributed to the achievement of significant progress in the eradication of the coca bush in Bolivia and Peru and of the opium poppy in the Lao People's Democratic Republic and Pakistan. Several other Governments indicated that, while they were implementing programmes for the eradication of illicit drug crops, there was no accompanying alternative development programmes, particularly when the eradication of cannabis was involved, mainly because of lack of funding and technical support from the international community.

30. Specialized agencies have been established to initiate or coordinate the implementation of national alternative development programmes, with the support of government ministries and agencies responsible for various economic and social sectors, including agriculture, health, education, social welfare, information, justice and law enforcement, rural and social development, regional development and the environment.

31. Thirty-one Governments reported that their national plans included illicit drug crop eradication or other law enforcement measures to ensure the reduction and eventual elimination of the cultivation of illicit drug crops. Investigations of criminal activities related to illicit drug crop cultivation and production were being undertaken to destroy the criminal networks involved. Several Governments were taking law enforcement measures to counter illicit drug crop cultivation and to support alternative development projects. In general, areas affected by such cultivation were under constant surveillance and law illicit drug crop enforcement measures included eradication by aerial spraying, manual eradication, surveillance of areas suspected of being under illicit cultivation, the use of agents and informants for locating illicit cultivation sites, regular and annual nationwide campaigns for the eradication of cannabis and opium

poppy, penal sanctions, preventive education and public information campaigns.

32. Several Governments reported that they had adopted alternative development programmes or measures aimed at forced eradication in areas of agricultural areas of low profitability. Several Governments indicated that fund-raising mechanisms had been institutionalized or planned regularly for alternative development or illicit drug crop eradication. Some Governments were supporting the efforts of developing countries through technical assistance programmes involving, in particular, UNDCP or multilateral mechanisms.

33. Alternative development requires a broad scope of technical expertise. While 24 Governments indicated that they had access to such technical expertise, 6 noted that they did not. Fourteen Governments indicated that they had systems for monitoring and evaluating the impact of alternative development and the eradication of illicit drug crops. Eighteen Governments reported that the impact of their law enforcement and alternative development measures were assessed annually or regularly.

34. The General Assembly has urged international financial institutions and regional development banks to conclude financial assistance agreements for alternative development. Four States have negotiated such agreements with financial institutions or regional development banks and received positive support. Others are seeking to increase funding from national and international sources. The Governments of 14 developing countries replying to the question had not negotiated such assistance agreements. As a reflection of their political commitment, several Governments of developing countries had taken measures, funded exclusively from their national budgets, to eliminate illicit drug crops.

35. During the forty-fourth session of the Commission on Narcotic Drugs, it was noted that cannabis cultivation and abuse constituted the major problems confronting most countries in Africa, in particular Burkina Faso, Madagascar, Morocco, Nigeria, Senegal and South Africa. In was indicated that, in southern Africa, the abuse of cannabis was a major social and health problem that had undermined the social fabric of rural and urban communities. There was a need to support Member States from Africa in the identification and implementation of sustainable alternative development programmes in regions affected by the illicit cultivation of cannabis, in order to enable them to meet the objectives of the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development. The emphasis had been on the eradication by Governments of cannabis cultivation with their own limited resources, without providing an alternative source of livelihood for those engaged in such cultivation.[5]

VII. Measures to promote judicial cooperation

36. The international drug control treaties provide a framework for international cooperation and enjoy almost universal adherence. The General Assembly, in section I of its resolution 55/65, urged all States to ratify or accede to and implement all the provisions of the international drug control treaties. From 10 June 1998, when the twentieth special session ended, to 1 July 2001, 14 States became parties to the 1988 Convention, making a total of 161 States parties to that Convention, in addition to the European Community; 12 States became parties to the single Convention on Narcotic Drugs of 1961[6] and that Convention as amended by the 1972 Protocol,[7] making a total of 173 States parties; and 11 States became parties to the Convention on Psychotropic Substances of 1971,[8] bringing to 168 the total number of States parties to that Convention.

37. Efforts to promote judicial cooperation to fight illicit drug trafficking have remained a high priority. Bringing key drug traffickers to justice has demonstrated that drug trafficking organizations are highly vulnerable to coordinated and sustained international pressure. Drug trafficking organizations have continued to suffer setbacks as Governments have pursued the leaders of such organizations. However, many developing, transitional and post-conflict societies lack a well-functioning legal system, which is fundamental to drug control efforts.

38. Extradition has remained a key tool in judicial cooperation. While some impediments to extradition are being removed, there are still too many States with a common-law tradition that apply the concept of prima facie case and many civil-law States have retained laws precluding or seriously limiting the extradition of

nationals. While almost one half of the Governments indicated that their laws restricted the extradition of nationals, most reported that they had legislation providing for extradition. Furthermore, 70 per cent of the responding Governments had agreements with other Governments, including regional and bilateral extradition treaties. In some cases, where there was no national legislation, extradition could be granted on the basis of international agreements on extradition. Most Governments had established a competent authority or authorities to deal with extradition requests.

39. The recommendations adopted by the General Assembly at its twentieth special session sought to strengthen mutual legal assistance to address serious crimes more effectively. Most Governments (77 per cent) have adopted national legislation permitting cooperation in the field of mutual legal assistance, although several do not have such legislation. Several Governments indicated in their replies that they had reviewed procedures for mutual legal assistance. Some reported that they had insufficient trained personnel, infrastructure and equipment to respond effectively to requests. Most Governments indicated that they had designated a central authority or authorities with the power to make and execute, or transmit for execution, requests for mutual legal assistance. Of the 161 States parties to the 1988 Convention, however, only 110 have notified particulars of their central authorities to the Secretary-General as called for by the Convention.

40. At the twentieth special session, States were encouraged to transfer between them criminal prosecution proceedings where such transfer might be in the interest of the proper administration of justice, in particular, if their legal systems were similar and they did not extradite their own nationals. Less than one half of the Governments replying to the questionnaire indicated that they were able to transfer criminal proceedings to other jurisdictions. A smaller number of Governments (24 per cent) had concluded agreements with other Governments for the transfer of proceedings in criminal matters.

41. Sixty-one per cent of Governments indicated that their national legislation permitted and facilitated judicial cooperation to counter the threat of illicit trafficking by sea. One third indicated that they had entered into agreements and a few Governments (15 per cent) reported that new measures to counter such trafficking had been adopted. In many cases, the State still lacked the legislation necessary to enable it to give consent to other States to board, search and seize if evidence of drug trafficking involving vessels flying its flag is found and to establish criminal jurisdiction over such vessels in the case of serious offences.

42. More than one half of the Governments replying indicated that their national legislation allowed the use of the technique of controlled delivery. Several Governments had reviewed, simplified and strengthened procedures in that regard.

43. One third of the Governments replying to the questionnaire had amended their legislation or adopted new provisions to facilitate the protection of witnesses involved in criminal proceedings, and several Governments had reviewed the applicable legislation. Most of the Governments had specialized units for investigating cases involving drug trafficking.

44. During the forty-fourth session of the Commission, several representatives referred to the bilateral and multilateral treaties and arrangements concluded by their Governments to facilitate the extradition of drug traffickers, promote mutual legal assistance in criminal matters, including the transfer of proceedings, and counter illicit traffic by sea. It was noted that regional agreements, such as the convention on mutual legal assistance between the States members of the European Union, had enhanced cooperation at the regional level. At the international level, several representatives referred to the important role of the United Nations Convention against Transnational Organized Crime (resolution 55/25, annex I) in furthering judicial cooperation.[9]

VIII. Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors

45. Most Governments (80 per cent) reported that they had implemented the relevant provisions of the international drug control treaties and relevant resolutions through national laws and regulations, although some were still in the process of amending their legislation to comply with the relevant treaty provisions.

46. Sixty per cent of Governments reported that they had adopted measures to raise awareness of the

problem of amphetamine-type stimulants, and several Governments had launched national prevention campaigns. More than one half of the Governments reported that measures had been taken to reduce the illicit demand for amphetamine-type stimulants, including measures involving education, prevention, treatment, monitoring, evaluation and research projects to prevent drug abuse and addiction. However, less than one half of the Governments had adopted specific programmes to prevent youth from experimenting with such stimulants. Given the importance of prevention among youth, several Governments with successful programmes targeting specific age groups had shared their experiences with other Governments to enable them to replicate those successful efforts. Some Governments had been concerned about the use of the Internet for the promotion and sale of psychotropic substances and their precursors, but only a limited number of Governments had taken measures to counter that development. Furthermore, less than one half of the Governments replying reported that they had in place measures to monitor the illicit demand for and abuse of amphetamine-type stimulants.

47. A number of Governments reported on initiatives to counter the illicit manufacture and abuse of and trafficking in amphetamine-type stimulants. The States members of the European Union reported that they were implementing the Joint Action of 16 June 1997 adopted by the Council of Ministers on the basis of article K.3 of the Treaty on European Union, concerning the information exchange, risk assessment and the control of new synthetic drugs. To further cooperation against the threat of amphetamine-type stimulants, the States members of the European Union have established an early warning system for new synthetic drugs. Both initiatives are being coordinated by the European Monitoring Centre for Drugs and Drug Addiction.

48. Sixty per cent of the Governments reported having taken measures to limit the illicit supply of amphetamine-type stimulants, including strengthening the control of precursors and laboratory equipment. National legislation and regulations for precursor control had been adopted in the countries of all the reporting Governments. Several Governments had adopted measures to control the manufacture, preparation, sale, purchase, import, export, transport, storage and distribution of chemical precursors used for the manufacture of amphetamine-type stimulants.

49. Cooperation with the chemical industry is an essential precondition to initiatives to limit the diversion of precursors. Forty-four per cent of reporting Governments had established practices to enhance cooperation with the chemical industry and to reduce the supply of amphetamine-type stimulants. Several Governments had introduced mechanisms to deal with non-scheduled substances, including flexible administrative procedures for the inclusion of substances in the lists of psychotropic substances subject to international control. Some Governments were in the process of introducing legislation to expedite controls on such substances.

50. Almost one half of the Governments replying had taken measures to establish monitoring systems to identify the illicit manufacture of amphetamine-type stimulants and to prevent their diversion. Furthermore, there was a need to improve the information available on such stimulants, especially regarding the collection of information on clandestine laboratories, manufacturing methods, the precursors used, purity levels, prices, sources and epidemiology. Several Governments regularly carried out signature analysis and profiling of amphetamine seizures. UNDCP has supported and initiated projects to develop and promote techniques for identifying, through impurity analysis, the origins of seized amphetamine-type stimulants.

51. One half of the reporting Governments had measures in place to enhance regional cooperation, including the multilateral exchange of information within the framework of bodies such as the International Narcotics Control Board and regional and multilateral bodies. Of particular note was an agreement between the member States of the Association of South-East Asian Nations (ASEAN) and China to tackle the problem of amphetamine-type stimulants, which had been reached at the meeting entitled "International Congress: In pursuit of a drug-free ASEAN 2015: Sharing the vision, leading the change", held in Bangkok from 11 to 13 October 2000. The International Congress was held against a background of rising concern among the leaders of ASEAN member States about the growing drug problem in the region arising from the rapid spread of new drugs, in particular amphetamine-type stimulants. In the plan of action endorsed by the International Congress, the Governments of ASEAN member States and China established for themselves clear objectives and target dates and agreed to strengthen their

coordinated efforts in connection with amphetamine-type stimulants.

52. At the forty-fourth session of the Commission on Narcotic Drugs, there was agreement that increased priority should be given at the international, regional and national levels to countering the illicit manufacture of, trafficking in and abuse of amphetamine-type stimulants. Increased abuse of and trafficking in such stimulants were reported by the representatives of several countries, particularly countries in east and south-east Asia. It is noted that the illicit manufacture of, trafficking in and abuse of such stimulants had emerged as a global challenge, requiring prompt action by Member States.[10]

IX. Control of precursors

53. The twentieth special session of the General Assembly provided a framework for multilateral cooperation in preventing the diversion of precursor chemicals from legitimate sources to illicit drug production. A large number of Governments indicated that they had adopted legislation for the control of precursors. More than one half of the reporting States had enacted new or revised existing laws and regulations on the subject.

54. Pre-export notices or inquiries concerning individual transactions played a crucial role in enabling competent authorities of importing countries to verify the legitimacy of those transactions and to identify suspicious shipments and prevent the diversion of chemicals. However, in order for the system to be effective, the exporting and importing States should improve their cooperation. While 68 per cent of the reporting Governments indicated that they had requested prior notice of export for substances in Table I of the 1988 Convention, only just over one half of them have notified the Secretary-General accordingly. That implies that, for several of the States, the system of prior notice of exports, in practical terms, cannot be applied.

55. A large number of Governments reported that they had established working procedures for monitoring and identifying suspicious transaction involving precursors. Examples included the development of education and training programmes for personnel of companies manufacturing precursor chemicals; use of controlled deliveries and undercover operations; a voluntary programme of cooperation with the chemical industry; prior registration of every importer or exporter of precursors; and reporting of unusual or excessive losses or disappearances of listed chemicals. More than one half of the reporting Governments had introduced specific measures, including sanctions, by amending or adopting legislation to prevent the diversion of precursors. Just over one half of the Governments reported that law enforcement measures had been adopted to investigate chemical diversions and clandestine laboratories.

56. In line with the measures for precursor control adopted at the twentieth special session, 23 Governments and 3 international bodies launched in 1999 an initiative to systematically track individual shipments of potassium permanganate, in order to deny drug traffickers access to that chemical, which is used in the illicit manufacture of cocaine. The international tracking programme, known as Operation Purple, has become one of the most successful operations undertaken so far within the framework of international precursor control. In view of its success, the participants have extended the operation in a slightly modified manner for an unspecified period of time. Phase two of the operation, in which additional participating countries have been invited to collaborate, started in January 2000.

57. In response to the measures to control precursors that were adopted by the General Assembly at its twentieth special session and the success of Operation Purple, an initiative called Operation Topaz was launched to establish a similar global programme to prevent the diversion of acetic anhydride, a chemical used in the illicit manufacture of heroin; the initiative was launched at a meeting hosted by the Government of Turkey in Antalya in October 2000. In addition to tracking consignments of acetic anhydride, the programme promotes investigations of illicit laboratory activity and acetic anhydride smuggling, with a view to identifying and preventing the diversion of that chemical into illicit trade.

58. On the recommendation of the International Narcotics Control Board, the Commission on Narcotic Drugs adopted decision 44/5, in which it decided to transfer acetic anhydride from Table II to Table I of the 1988 Convention, and decision 44/6, in which it decided to transfer potassium permanganate from Table II to Table I of the 1988 Convention. Those decisions

will enhance the control of the main chemicals used in the illicit manufacture of cocaine and heroin.

X. Countering money-laundering

59. In the Political Declaration adopted at the twentieth special session, Member States undertook to make special efforts against the laundering of money derived from drug trafficking. They recommended that States that had not yet done so should adopt, by the year 2003, national money-laundering legislation and programmes in accordance with the relevant provisions of the 1988 Convention. As follow-up to the twentieth special session, the Office for Drug Control and Crime Prevention, within the framework of its Global Programme against Money-laundering, at a conference held in the Cayman Islands in March 2000, launched the United Nations Offshore Forum, a global initiative to prevent the misuse of international financial centres for the laundering of criminal proceeds. By the end of 2000, 33 States and territories had made a formal commitment to join a United Nations global initiative to adopt internationally accepted standards of financial regulations and measures against money-laundering.

60. All parties to the 1988 Convention are required to establish money-laundering as a criminal offence and to adopt the measures necessary to enable authorities to identify, trace and freeze or seize the proceeds of drug trafficking. Most Governments (83 per cent) reported that laundering the proceeds of drug trafficking was a criminal offence in their jurisdictions, but in some countries it was still not considered a criminal offence. To strengthen their ability to counter money-laundering, several States were in the process of enacting new legislation or updating existing legislation against money-laundering. Furthermore, some Government of countries without legislation to deal with laundering of the proceeds of crime indicated that they had no plans to introduce controls in connection with serious crimes other than drug trafficking. Increased efforts will be needed if all countries are to have national money-laundering legislation and programmes in place by 2003, in line with the Political Declaration adopted at the twentieth special session. Many States have adopted measures to facilitate the reporting of suspicious and/or unusual transactions in order to counter money-laundering. Over one half of the reporting Governments indicated that they had adopted measures for the effective investigation and prosecution of money-laundering offences.

61. Significant progress was made by most of the Governments replying to the questionnaire (81 per cent) in adopting legislation permitting the seizure of assets derived from money-laundering. In many countries, however, no statistics are kept on proceeds seized and confiscated as a result of legal action to combat money-laundering.

62. Bank secrecy has been one of the major obstacles to criminal investigations in money-laundering offences. Just over one half of the Governments replying to the questionnaire reported that they were removing impediments to criminal investigations related to bank secrecy; however, several reported that they had not yet done so. Just over one half of the Governments had sent or received requests from other Governments for mutual legal assistance concerning money-laundering cases, including the freezing, seizure or confiscation of criminal assets. Of those requests, the majority had been implemented, with a small number being declined due to failure to meet the national legislative or evidential requirements, either for lack of funds in the targeted account or for other unspecified reasons.

63. Several Governments have negotiated comprehensive bilateral mutual legal assistance treaties to facilitate cooperation in criminal matters; some of those treaties deal specifically with the tracing, freezing and confiscation of proceeds from drug trafficking and related criminal activity. The United Nations Convention against Transnational Organized Crime, when it enters into force, will create a universal system for mutual legal assistance in cases involving conspiracy and money-laundering by organized criminal groups.

XI. United Nations International Drug Control Programme as a catalyst for action by Member States and the United Nations system

64. The report of the Executive Director on the activities of the United Nations International Drug Control Programme (E/CN.7/2001/7) provided an overview of the strategic direction of the Programme and of the main activities undertaken during 2000 in

support of the efforts of the international community in implementing the global strategy agreed upon at the twentieth special session of the General Assembly. UNDCP played a catalytic role in initiating and supporting action at the national, regional and international levels through a portfolio of technical cooperation programmes supported by a network of field offices in key regions and countries. It promoted subregional and bilateral cooperation and furthered direct consultations between Governments. It also mobilized specialized agencies and other entities of the United Nations system, the international financial institutions, other intergovernmental organizations and civil society to mount a global response to the drug problem.

65. In section II of its resolution 55/65, the General Assembly called upon the relevant United Nations bodies, the specialized agencies, the international financial institutions and other concerned intergovernmental and international organizations, within their mandates, and all actors of civil society to continue their close cooperation with Governments in their efforts to promote and implement the Global Programme of Action (resolution S-17/2, annex), the outcome of the twentieth special session and the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction. UNDCP has continued to promote the mainstreaming of drug control issues into the work of other agencies, according to their mandates. Several collaborative activities have been started, including the participation of the Food and Agriculture Organization of the United Nations and the Pan American Health Organization (the Regional Office for the Americas of the World Health Organization (WHO)) in alternative development activities in Colombia; joint United Nations programming for the rural development of the Bekaa Valley in Lebanon; and the integration of a demand reduction component in activities undertaken by the Economic and Social Commission for Asia and the Pacific against sexual abuse and exploitation of minors in the Greater Mekong subregion. UNDCP has also continued to work closely with the Office of the United Nations High Commissioner for Refugees, the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund (UNFPA), the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization and WHO in a variety of programmes. UNDCP has continued to take part in the country-based Common Country Assessment (CCA)/United Nations Development Assistance Framework (UNDAF), which is leading to more systematic joint programming. As at September 2000, 56 per cent of the 55 completed CCAs and 72 per cent of the completed UNDAF exercises addressed the drug problem.

66. In addition, UNDCP has maintained a dialogue with non-governmental organizations, while promoting the participation of those and other civil society organizations in drug control strategies and related activities at the national level. The new edition of the UNDCP world directory of non-governmental organizations working in drug demand reduction will strengthen networking among non-governmental organizations.

67. As requested by the General Assembly in section II of its resolution 55/65, the Executive Director of UNDCP reported to the Commission on Narcotic Drugs at its forty-fourth session on the follow-up to the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (E/CN.7/2001/2, paras. 76-170).

XII. Conclusions

68. The overview of the implementation of the action plans and measures adopted by the General Assembly at its twentieth special session shows a mixture of positive and negative trends. On the supply side, the achievements so far have been beyond expectations. Landmark progress has been made in implementing the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, the illicit cultivation of narcotic crops having been eradicated in several countries. The success of national strategies to eliminate illicit drug crops through alternative development, supported at the bilateral and multilateral levels, has increased. In Bolivia, coca bush cultivation in the Chapare has been almost eliminated; compared with 1997, there has been an overall decrease of 90 per cent in such cultivation. The same results have been achieved in Peru. The total output of coca in Bolivia, Colombia and Peru is 20 per cent lower than it was 10 years ago, despite an increase in the output of coca in Colombia. Progress in efforts

to eradicate the opium poppy is also encouraging, particularly in countries such as the Lao People's Democratic Republic and Myanmar. The most impressive results have been achieved in Afghanistan, where UNDCP surveys and work have confirmed the almost total disappearance of the opium poppy in areas controlled by the Taliban. The significant decline in opium production is the result of mounting pressure on the Taliban, which declared a ban on opium poppy cultivation in July 2000. Reaching the 2008 target of measurable reduction in the demand for illicit drugs, however, still poses a major challenge. Heroin abuse has stabilized in Europe, even declining in some countries; however, in a large part of Asia, the abuse of heroin continues to increase. Cocaine abuse has stabilized in the United States of America, but it is still growing in Europe and in part of Latin America. Efforts to reduce the abuse of synthetic drugs have also had mixed results. Countering the illicit manufacture of, trafficking in and abuse of amphetamine-type stimulants remains one of the major challenges for several Governments. Similarly, the abuse of cannabis, particularly in African countries, continues to be a major concern.

Notes

[1] *Official Records of the Economic and Social Council, 1999, Supplement No. 8* (E/1999/28/Rev.1), part two, chap. I, resolution 42/11, annex.

[2] See *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

3 Replies were received from the Governments of the following countries: Algeria, Argentina, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea-Bissau, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mexico, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela. Replies were also received from the governments of the following areas: British Virgin Islands, Cayman Islands and Hong Kong Special Administrative Region of China.

[4] "Commission on Narcotic Drugs: report on the forty-fourth session (20-29 March 2001)" (E/2001/28), para. 46. The report will subsequently be issued in final form as *Official Records of the Economic and Social Council, 2001, Supplement No. 8* (E/2001/28/Rev.1).

[5] E/2001/28, para. 49.

[6] *United Nations, Treaty Series*, vol. 520, No. 7515.

[7] Ibid., vol. 976, No. 14152.

[8] Ibid., vol. 1019, No. 14956.

[9] E/2001/28, para. 51.

[10] E/2001/28, para. 53.

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Item 21 (b) of the preliminary list*
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

International assistance to and cooperation with the Alliance for the Sustainable Development of Central America

Report of the Secretary-General

I. Introduction

1. The present report is being submitted pursuant to General Assembly resolutions 49/21 I of 20 December 1994, 50/58 B of 12 December 1995, 52/169 G of 16 December 1997 and 54/96 E of 22 December 1999. It describes the international cooperation activities of the United Nations Development Programme (UNDP) and other organs, organizations and programmes of the United Nations, carried out during the period from August 1999 to April 2001, in support of the efforts of the Central American countries to implement a new sustainable development strategy in the region.

2. The General Assembly, in resolution 49/21 I, emphasized the need to design and implement a new programme of international cooperation for Central America, based on the priorities laid down in the Declaration of Commitments adopted by the Follow-up Committee of the International Conference on Central American Refugees and in the Alliance for the Sustainable Development of Central America (ALIDES). The General Assembly supported the efforts of Central American Governments in their commitments to the alleviation of extreme poverty and the fostering of sustainable human development, and urged them to intensify their efforts to implement policies and programmes in those areas. It further stressed the need for the international community to continue its support for those efforts and requested the Secretary-General, the United Nations system and, in particular, UNDP, to continue their efforts to mobilize resources in order to effectuate the new strategy for integral development in Central America; and urged all States, intergovernmental organizations, international financial institutions, the organs and specialized agencies of the United Nations system and regional and subregional organizations to continue the necessary support for the implementation of the goals and objectives of the new strategy for integral development in Central America.

3. In resolution 50/58 B, the General Assembly emphasized the importance of supporting and strengthening the new programme for international cooperation and assistance for Central America and reiterated that only by solving the political, economic, social and environmental problems that are the cause of tensions and conflicts in society would it be possible to

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avoid a reversal of achievements and guarantee a firm and lasting peace in Central America.

4. In resolution 54/96 E, the General Assembly emphasized the importance of supporting and strengthening the efforts of Central American countries to implement the Strategic Framework for the Reduction of Vulnerability and Disasters in Central America, adopted by their Presidents in 1999, and the projects and programmes of the Central American Five-Year Plan for the Reduction of Vulnerability to and the Impact of Natural Disasters (see A/54/630, annex). It noted with satisfaction the progress achieved towards the implementation of the UNDP subregional cooperation programme in Central America and the initiative to introduce the new and innovative approach of the Meso-American Biological Corridor. It also recognized the importance of the preparations made regarding the meeting of the Inter-American Development Bank (IDB) Consultative Group on the regional aspects of the reconstruction and transformation of Central America, to be hosted by the Government of Spain in Madrid in 2000. It again stressed the need for the international community to maintain its cooperation with the Central American countries to support the promotion of sustainable development and the consolidation of peace, freedom and democracy in the region.

5. The meeting of the Regional Consultative Group for strengthening integration and cooperation in Central America was held in Madrid, on 8 and 9 March 2001, presided over by IDB and hosted by the Government of Spain. The main theme of the meeting was the revision of the regional strategy for strengthening regional integration and cooperation and their contribution to the reduction of poverty, the acceleration of sustainable growth and the fostering of competitiveness in order that the region may compete with efficiency in world markets. The Secretary-General of the Central American Integration System (SICA) presented the regional strategy entitled "The transformation and modernization of Central America in the twenty-first century". During the meeting, representatives of SICA presented reports on progress made in the implementation of the national plans for reconstruction and transformation, after two years of the meeting held in Stockholm, on behalf of the Central American Governments, the Follow-up Group of Stockholm, IDB and the Central American civil society. At the meeting, there was consensus that there had been meaningful progress in the implementation of the principles of the Stockholm Declaration. However, the impact of hurricanes Mitch and Keith and the earthquakes in El Salvador highlighted the social and ecological vulnerability of the Central American region to natural disasters and the need to redouble the efforts to ensure long-standing and integral solutions to the development problems of the region.

6. The present report will make reference to the efforts being made by the Central American Governments and people to recover from the devastation of natural disasters and to utilize the reconstruction process as an opportunity to transform their societies within the framework of ALIDES and to catalyse further international support for their national efforts to make the region a zone of peace, freedom, democracy and development.

II. The macroeconomic framework

7. According to the Economic Commission for Latin America and the Caribbean (ECLAC), the pace of growth of the Central American economy showed a meaningful slowdown in 2000. The average gross domestic product (GDP) for the Central American region grew at an annual rate of 2.8 per cent, lower than the 4.5 per cent of the preceding year and the 5.2 per cent of 1998. Consequently, the per capita GDP increased by only 0.3 per cent. The trend was strongly influenced by the downturn of the Costa Rican economy. In fact, if this country is excluded, the GDP of the four other economies (El Salvador, Guatemala, Honduras and Nicaragua), rose from 3.1 per cent in 1999 to 3.4 per cent in 2000. The region was affected by external and fiscal imbalances, although they were not detrimental to macroeconomic stability. The GDP of Panama increased by 2.5 per cent in 2000, lower than in 1999 (3.0 per cent), after a growth of more than 4 per cent during the two preceding years; the GDP per capita grew by only 0.9 per cent. For its part, the Belizean economy increased its GDP by 6.0 per cent in 2000, slightly lower than the 6.4 per cent in 1999, after a low of 1.3 per cent in 1998; the rate of the GDP per capita in 2000 was a strong 3.3 per cent.

8. The moderate evolution of the Central American economy was largely determined by a smaller increase in regional exports and fiscal and monetary policies oriented to preserving economic growth without sacrificing internal and external stability, in addition to

the uncertainty created by an electoral year in Nicaragua and the change of administration in Guatemala. In fact, the economic policy attenuated increases in internal demand, reducing private investment and generating modest growth in public consumption. In general, the Governments that achieved a reduction in their expenditures diminished their capital investments.

9. Regional economic activity was affected by the higher cost of fuels, lower availability of credit and high financial costs, as well as an increase in utility rates. However, the decrease in the import prices of various goods represented a counter-effect, particularly in the case of capital goods and non-durable consumption goods. The two more dynamic economies of the last few years, Costa Rica and El Salvador, showed a weakened pace in their expansion (1.4 per cent and 2.5 per cent respectively), the first one due to a fall in exports and the second largely to the restrictive monetary policy adopted to control inflation and preserve the stability of the exchange rate. During the first year of the new administration, Guatemala achieved practically the same rate of growth (3.5 per cent) than in the preceding period. The Honduran economy showed a significant resurgence (3.8 per cent), after a contraction of almost two percentage points in the preceding year. This result was the result of an increase in internal demand that included the investments made in the framework of the process of reconstruction after the disaster provoked by hurricane Mitch in 1998. In Nicaragua, the economy grew by 5.3 per cent in 2000, two percentage points lower than in 1999. Internal demand was constrained by a reduction in private investment in the face of lower credit and high financial costs. The uncertainty of an electoral year and fiscal and monetary policies adopted during the first part of the year also influenced this outcome.

10. Central American exports of goods (f.o.b.) diminished considerably, growing at a rate of 2 per cent in 2000 compared with 6.4 per cent in 1999. All countries except Costa Rica, which registered a fall of 11 per cent, showed increments mainly determined by non-traditional exports and the development of maquila activities in free trade zones. The decision by the United States of America to grant new tariff benefits in the framework of the Caribbean Basin Initiative (CBI) until September 2008 had great importance. The principal traditional exports grew by only 2.6 per cent, after a fall of 22.4 per cent in 1999. Coffee exports recuperated (8.5 per cent) as did meat products (12.4 per cent) while banana and sugar decreased (5.8 per cent and 6.3 per cent respectively). Panamanian exports grew by 7.1 per cent in 2000, recuperating from a slump in 1999 that had been due to fewer purchases by Latin American countries that had affected the re-exporting activity of the Colon Free Zone.

11. Imports of goods by Central America (c.i.f.) showed a rate of growth in 2000 (7 per cent) higher than in the preceding year (4 per cent). With the exception of Nicaragua, external purchases grew in all countries. The increase in petroleum prices largely contributed to a rise in the value of imports because the region showed fewer purchases of capital goods and the increases in imports of consumption goods were moderate compared with a virtual standoff in 1999. Petroleum prices were a key factor in the deterioration of the terms of trade.

12. In 2000, the regional deficit in the current account reached $3,424,200,000 (equivalent to 6.1 per cent of the regional GDP), showing an increment of $250 million compared with 1999. With the exception of Costa Rica and Nicaragua, the trade deficit in goods and services increased considerably in all countries. External capital inflows were lower than in 1999, also in the form of foreign direct investments (FDI) but private transfers, mostly family remittances, which maintained their expansive trend, had an important positive effect on the majority of countries. In spite of reductions in the capital and financial accounts, the region increased its net international reserves, improved the dollar value of its monetary base and achieved exchange rate stability.

13. The Central American external public debt reached $19,340,000,000, showing a nominal reduction (2 per cent) for the first time since 1997. In Panama, the outstanding external debt showed a slight increase (2.5 per cent). It should be mentioned that, in 2000, Honduras and Nicaragua achieved the so-called "decision point" to be included in the International Monetary Fund (IMF) and World Bank Highly Indebted Poor Countries Initiative (HIPC). A meaningful reduction in their levels of debt could be achieved by fulfilling certain requirements concerning the reduction of social and ecological vulnerability, transparency in the use of public resources, strengthening of the financial sectors and achievement of progress in governance as well as participation of civil society.

14. Inflation maintained the same value as in 1999 despite an increase in international petroleum prices. The annual rate fell slightly in Honduras (from 10.9 per cent to 10.6 per cent), it remained practically unchanged in Costa Rica and Guatemala (around 10 per cent and 5 per cent respectively) and rose in El Salvador (to 4.3 per cent after the deflation of 1 per cent in 1999) and Nicaragua (from 7.2 per cent to 9.9 per cent). The inflation index in Panama was 1.4 per cent compared with 1.5 per cent in 1999. The exchange rate situation did not show major alterations.

15. In 2000, Central American countries continued to promote economic policies mainly oriented to preserving the results in macroeconomic stability achieved in the preceding years. In general, the setting of economic policy continued to be framed within the programmes of financial support agreed upon with the international financial institutions, especially IMF, which facilitated access to new financial resources and, in some cases, restructuring or reduction of the external debt. The fiscal gap as a proportion of GDP expanded slightly as a consequence of a slowdown in economic activity and tariff reductions, salary increases in the public sector and expenditures in infrastructure and social areas. It is important to underline that the persistence of fiscal deficits and a high level of internal indebtedness in some countries (especially in Costa Rica) represented a considerable load for public finance.

III. Cooperation activities

16. In response to the request submitted to the General Assembly by Central American Governments, in 1996, UNDP launched a new programme for subregional cooperation in Central America, following consultations with Governments, Central American civil society organizations and cooperation agencies, and taking into account the priorities established by Central American Presidents in their summit meetings.

17. The subregional programme focused on three areas of concentration, namely: peace and democratic governance; economic and social development; and environmental sustainable development. The programme was initiated with seed resources from UNDP, which were later supplemented by generous donations from bilateral donors.

18. The UNDP subregional programme and the national programmes of United Nations agencies were reviewed in the context of the dialogue and agreements established at the second Consultative Group Meeting for the Reconstruction and Transformation of Central America, co-hosted by the Inter-American Development Bank and the Government of Sweden, held in Stockholm, from 25 to 28 May 1999. At that meeting, the Governments of the region, the principal donors and civil society representatives renewed their commitments to democratic change and sustainable human development in Central America. The Stockholm Declaration expresses the shared commitments to reducing the social and ecological vulnerability of the peoples of the region as the principal objective; the reconstruction and transformation of Central America on the basis of an integrated focus on transparency and governability; consolidation of democracy and good governance, reinforcing the process of decentralization with the active participation of civil society; promotion of human rights as a permanent objective, with special attention to gender equality and the rights of children and of ethnic groups. Commitments were also made regarding the coordination of donor activities and renewal of efforts to reduce the external debt of countries in the region.

19. The programmes also were reviewed during the preparations and the conclusions of the Regional Consultative Group for strengthening integration and cooperation in Central America, held in Madrid in March 2001, as referred to above. The four main objectives at the regional level are: (a) the reduction of social, economic and environmental vulnerabilities; (b) the transformation of productive sectors; (c) sustainable management of natural resources; and (d) increased participation of civil society in development.

20. It should be highlighted that the United Nations system worked as a team in accompanying the countries of the region in their preparation for the consultative group meetings and acted in a coordinated way to adapt their cooperation programmes to fit the new development situation and priorities established by the concerned countries.

IV. Peace and democratic governance

A. Support for consensus-building processes

21. At the regional level, the UNDP project entitled "State of the region", whose regional report was released by SICA in mid-1999, continued to carry out systematic follow-up on the process of human development and integration in Central America. The project was produced on the basis of broad consultations to provide updated, reliable information on achievements in fostering sustainable human development in the subregion during the post-conflict period, as a contribution to the informed participation of diverse members of civil society in the development process. The final phase of the project focused on dissemination and debate with respect to the report's findings, among Governments, civil society organizations, communities and the private sector. National workshops and regional meetings were held with the participation of high-level government and political leaders, representatives of civil society and community organizations.

22. At the national level, the United Nations system in El Salvador, Guatemala and Nicaragua continued to promote the consolidation of peace and consensus-building on the reforms needed to address the root causes of the Central American conflict. UNDP has played a central role in mobilizing external and internal resources for peace and in coordinating United Nations and international assistance for peace processes. In addition, it has worked alongside its partners within the United Nations system, especially the Department of Political Affairs of the Secretariat, to facilitate the formulation of common positions on key issues related to the peace processes on behalf of the United Nations and the international community. The United Nations Children's Fund (UNICEF) has supported post-conflict activities, the implementation of the Convention on the Rights of the Child, women's and human rights and the promotion of human development.

23. In El Salvador, the United Nations system has assisted in the dialogue between the Government and civil society regarding the proposals for the process of transformation and reconstruction, which takes into consideration various post-conflict issues. It is noteworthy that, after the closing of the United Nations "support unit" on 30 June 1998, UNDP has been responsible for following up pending issues related to the peace process, and assisting the parties in implementation, in close collaboration with the donors.

24. In Guatemala, support for to the implementation of the peace agreements constitutes the mandate for the work of the United Nations system in the country, from the verification of the fulfilment of the accords by the United Nations Verification Mission in Guatemala (MINUGUA) to diagnostic studies and implementation of cooperation projects. Consensus-building activities entail the functioning of participatory governance mechanisms for managing the implementation of the peace agreements. These mechanisms allow key affected parties to have a voice in monitoring the fulfilment of the commitments and in ensuring that the root causes of the conflict are addressed. One example of such mechanisms in Guatemala is UNDP support for the Technical Commission for the Implementation of the Resettlement Agreement (CTEAR). As Resident Coordinator, the Resident Representative of UNDP participated in CTEAR, representing the donor community. Another mechanism is the Fiscal Pact, an instrument that aims at achieving consensus on the basic principles that orient decisions to meet the targets set up in the peace agreements. UNDP has acted as a technical secretariat and, together with the IMF and IDB, among others, facilitates the preparation of technical proposals.

25. The United Nations system actively assisted in facilitating spaces for reaching consensus on key post-conflict development issues in Nicaragua. UNDP gave support to the National Council for Economic and Social Planning in the National Dialogue (2000), at the request of the President of Nicaragua at the Consultative Group Meeting held in Washington, D.C., on 23 May 2000. It also facilitated the broad process of consultations and dialogue between the Government and civil society, and between them and the international community regarding the strategies for national transformation and reconstruction in preparation for the Consultative Group. For its part, the UNICEF social policy and community development programme supports in Nicaragua the formulation of public policies which are consistent with national agreements based on State-civil society consensus to improve income distribution and guarantee the fulfilment of economic and social rights.

26. In Honduras, in 2000, UNDP assisted in the creation of the Forum for Strengthening Democracy, an

initiative that received the support of the international community and aims at facilitating a serious discussion on the main development problems of the country and at achieving a long-term social consensus. Other important mechanisms are the process of concerted action related to the Strategy for Poverty Reduction where civil society organizations participate, and the Consultative Group for National Reconstruction and Transformation. The United Nations system participates in the G-8, together with other members of the international community, facilitating the coordination of international cooperation and follow-up to the Stockholm Declaration regarding activities that involve the Government and civil society.

27. UNDP provided support in Panama for the National Dialogue for the Expansion of the Panama Canal (2000), at the request of the Presidency of the Republic and the Panama Canal Authority. More than 25 organized sectors participated in a process of consultation where options regarding the future of the Panama Canal were discussed, including new investments to allow navigation of ships with larger freight capacities.

28. In Costa Rica, the preparation of the report on the state of the nation, sponsored by UNDP and the European Union, constituted a forum for discussion and consensus-building on important issues of public policy.

B. Strengthening of democratic institutions

29. At the regional level, the UNDP/Government of Spain Trust Fund is in its final phase. The resources were allocated to the promotion of reform and institution-building in the areas of justice, public defence, public security, decentralization and fiscal administration.

30. Several bilateral donors have granted financial resources to UNDP for strengthening democratic institutions at the national level. In Guatemala and Honduras, multi-year governance programmes were formulated and began to be implemented on the basis of a grant worth over $50 million from the Government of Sweden. The programmes include support for the creation and strengthening of human rights institutions, the courts, public defenders' offices and other governmental and non-governmental organizations.

31. A priority area of work of the United Nations system in Central America is the strengthening of civil society organizations and human rights. Having finalized the programme "Partners for development" (1996-1999), UNDP/Guatemala initiated in 2001 the implementation of programmes in the area of human rights, justice and reconciliation. The Programme to Strengthen the Rule of Law continued to be jointly implemented in 2000 by UNDP and MINUGUA. A second phase was initiated with support from the Government of Norway, broadening the perspective to include human rights and national reconciliation, stimulating initiatives from civil society to implement the recommendations of the Truth Commission, which delivered its report in 1999. In 2000, there was also close collaboration between UNICEF and MINUGUA. Both organizations together prepared the first verification report on children, entitled "The situation of children and adolescents in the framework of the Guatemalan peace process".

32. Also in the area of human rights, in Guatemala, UNDP and the Office of the High Commissioner for Human Rights (OHCHR) have jointly implemented a project entitled "Strengthening national capacity in the area of human rights", from September 1997 to June 2000. This unique initiative implemented a training programme for the members of governmental and non-governmental organizations in order to promote the application of international human rights instruments. It also entailed support for the institutional capacity of the Office of the Human Rights Ombudsman to receive and investigate denunciations of human rights violations, including those of indigenous peoples and communities.

33. The cooperation of the United Nations system achieved important outcomes in the area of justice. The UNDP project entitled "Strengthening of the rule of law/the judiciary/justices of the peace" in Guatemala (November 1998 to December 2000) improved access to justice by contributing to the modernization of the structure of the judiciary, the training of judges and the establishment of a system of alternative conflict resolution. The programme helps to consolidate the rule of law and the peace process; it supports the Supreme Court and the Commission for the Strengthening of Justice. That Commission became an important instrument in the evaluation of the judicial reform process in Guatemala. It is important to underline that, in that country, the modernization of the

justice sector is carried out in a coordinated manner with the intense participation of the international community.

34. The improvement of public security is another problem that receives priority cooperation. In Guatemala, efforts have been made since 1998 to strengthen the Ministry of the Interior and the Justice Sector Modernization Coordinating Group (ICMSJ) as multisectoral interlocutor in matters of criminal justice. In addition, support was given to the deployment of the National Civil Police and the strengthening of the penitentiary system. In the same context, technical assistance was provided for the new civil police force in fulfilment of one of the provisions of the peace agreements.

35. With respect to the demobilization and the integration of ex-combatants, UNDP plays an important role in preventing or minimizing future social conflict by helping to find alternative means of support in a productive manner. This is especially important in post-conflict societies such as El Salvador and Guatemala.

36. Decentralization and strengthening of local governments are essential elements for empowering communities and for democratization. The area includes models for political and fiscal decentralization, participatory mechanisms for strategic planning at the local level, land-use management, development of social capital and training of municipal leaders. Various agencies of the United Nations system have experience in this area including the Pan American Health Organization/World Health Organization (PAHO/WHO), UNDP, UNICEF, the United Nations Population Fund (UNFPA), the World Bank and the World Food Programme (WFP). They play an important role in assisting rural populations and local communities with a participatory approach, building local capacity for managing development and strengthening municipalities. In Nicaragua, the United Nations system is sponsoring a programme for rehabilitation of human settlements that will be implemented by UNDP, UNICEF, WFP, the International Organization for Migration (IOM) and UNFPA. In Honduras, the system finances projects elaborated by the communities themselves. In El Salvador, the United Nations system has worked with the local authorities to strengthen their capacity to manage the process of development planning with the participation of various sectors. In Guatemala, the United Nations system assisted the Government in designing a national decentralization strategy, which was discussed nationally and is facilitating access to long-term credit for municipal authorities. Training on strategic planning and financial administration in municipalities is also provided. In Panama, UNDP, UNFPA and UNICEF are jointly giving support to the Coalition for Decentralization and Local Development (CONADEL), which includes representatives of municipalities, indigenous organizations and academic institutions.

37. In Guatemala, specific programmes are implemented by the United Nations system for the resettlement of uprooted population groups and on the identity and rights of indigenous peoples. Since 2001, UNDP has facilitated the implementation of recommendations of the Historical Clarification Commission related to the exhumation of the bodies of the victims of the armed conflict. It provides support for reconciliation at the community level in the conflict zone (ARZOC), and in the establishment of a land strategy, having mobilized resources from bilateral and multilateral institutions totalling more than $80 million.

V. Economic and social development

A. Social vulnerability and poverty eradication

38. At the Stockholm Consultative Group Meeting, the Governments of the Central American countries agreed that the overriding goal of the reconstruction and transformation of the region lies in the reduction of social and ecological vulnerability. The disaster caused by hurricane Mitch and its disproportionate effect on the region's poor showed that the reduction of "vulnerability" must be based on an integrated, multidimensional approach, covering a wide array of developmental issues. It means addressing poverty alleviation, education, health, food security and environmental risks, as well as inequality based on income, gender or ethnicity. In 2000, the United Nations system made considerable progress in this area through the Resident Coordinator system, working as a team in support of the Governments and societies of Central America. Common Country Assessments (CCAs) were completed in Costa Rica, Guatemala, Honduras, Nicaragua, and Panama.

39. UNDP, in partnership with ECLAC, the World Bank, and the Inter-American Development Bank, has completed a series of diagnostic studies that served as a basis for preparing national poverty reduction strategy papers. Support was provided for the participation of Honduras and Nicaragua in HIPC, including assistance to those Governments in creating mechanisms of consultation with various sectors of society. In addition, in Nicaragua, UNDP, with support from the Government of Denmark, works to strengthen the capacity of the civil society to formulate proposals within the National Council of Economic and Social Planning (CONPES). CONPES participated in the preparation of the national poverty reduction strategy papers and the national budget for year 2001.

40. In Guatemala, UNDP is carrying out a series of activities in the fields of human development, poverty reduction and fiscal policy. UNDP provides information and technical assistance for public bodies and organizations of civil society and promotes alliances with these organizations, academic institutions and the media for the advancement of a common agenda.

B. Agricultural development

41. The Regional Unit of Technical Assistance for agricultural development (RUTA) has continued its operations during the period under review. This UNDP-administered project is executed by the World Bank and financed by the World Bank/Government of Japan Trust Fund, the IDB, the International Fund for Agricultural Development (IFAD), the Inter-American Institute of Cooperation in Agriculture (IICA), the Inter-American Institute of Cooperation in Agriculture, the Food and Agriculture Organization of the United Nations (FAO) and the Governments of Norway and the United Kingdom of Great Britain and Northern Ireland, in addition to in-kind contributions by Central American Governments. In direct contact with the ministries of agriculture, the project continues to provide assistance in developing policies and programmes for the modernization of the agricultural sector, with emphasis on poverty reduction and sustainable development.

42. During 2000, the Unit worked in the areas of small farm rural development, rural financial services, decentralization, trade policy and gender and indigenous issues. It has assisted in the preparation and implementation of investment projects that receive financial support from the international financial institutions. It has also supported the implementation and evaluation of many agricultural projects now ongoing in the region.

C. Health and nutrition

43. PAHO/WHO works to support the objectives of ALIDES in the health sector. During the period under review, it has provided support in strategic areas such as health and human development, health systems and services, health promotion and protection, environmental protection and disease control and protection. For their part, UNICEF, WFP and UNFPA, actively work both at the national and local levels to improve health in such areas as maternal and child health, water and sanitation, food security and nutrition, and reproductive health.

44. At the regional level, the United Nations system has contributed to the preparation of Central American projects in the area of health, sponsored by SICA. At the national level, in Honduras, support was given to the process of reform of the health sector, emphasizing priority strategies. In Nicaragua, PAHO/WHO and UNICEF cooperated in support of local integrated health systems (PROSILAIS), the immunization programme and maternal lactance. In El Salvador, PAHO and UNICEF have been involved in the provision of primary health care services and in the monitoring of the epidemiological situation, while UNFPA has provided training in human resources and technical assistance on sexual and reproductive health. In Guatemala, the United Nations system has provided support for the integrated care of prevalent childhood diseases, the rehabilitation of basic health infrastructure, control of cholera and medical assistance.

45. An important inter-agency theme is the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS). the Joint United Nations Programme on HIV/AIDS (UNAIDS) is playing a major role in supporting the national strategic plans, coordinating United Nations efforts and linking with non-governmental organizations (NGOs) and civil society. The UNAIDS publication *A Call for Action* was launched during the celebration of the World AIDS Day, on 1 December 2000.

46. The United Nations system has also worked to improve the level of food security. In Nicaragua, the first national food and nutritional security policy was approved. WFP continues to provide nutritional assistance for the populations affected by natural disasters, in cooperation with FAO and UNDP. The food-for-work activities have benefited thousands of families, particularly lactating women and children under the age of five, as well as school children through school feeding programmes. In El Salvador, FAO, PAHO and WFP have signed an agreement to cooperate in the production of data required to map vulnerability and to identify the level of food insecurity. The Institute of Nutrition for Central America and Panama (INCAP) has collaborated in these efforts, particularly in its key role of providing training for specialized professionals.

47. In the area of migration, which includes the phenomenon of people displaced as a consequence of natural disasters and of unfavourable socio-economic conditions, IOM implements a series of initiatives in Honduras, Nicaragua, Guatemala and Costa Rica, aiming at economic and social integration of the migrant populations. PAHO, with the support of the United States Agency for International Development (USAID), has developed a special project on health services for the migrant population in Costa Rica, directed at ensuring access to health services for the migrant population.

D. Public finance and economic growth

48. The activities of the ECLAC subregional headquarters in Mexico are closely linked to ALIDES. During the period covered by the present report, ECLAC supported ALIDES in the economic sphere, including analyses of the economic evolution, modernization and competitiveness of agricultural sector exports (sugar, banana, coffee), studies on the fiscal effects of trade liberalization and productive use of family remittances from abroad.

49. ECLAC is especially concerned with the promotion of policies in support of low-income families and ethnic groups, and the integration of women in the development process. With financial support from the German Agency for Technical Cooperation (GTZ), it has organized seminars on development of land markets for small producers.

50. ECLAC has also undertaken studies to contribute to hemispheric economic integration, and the development of the energy sector. A statistical report was issued on hydrocarbons in the Central American isthmus. The organization has also provided technical assistance for the participation of Central American countries in the Consultative Group held in Madrid.

E. Environment and sustainable development

Reduction of environmental vulnerability

51. During the period under review, the United Nations system has coordinated with the Central American Governments and regional institutions in establishing mechanisms for disaster prevention and mitigation, both at the national and regional levels. The United Nations disaster management teams are working to improve the overall coordination, and to incorporate provisions for pre-disaster contingency planning, assessment, targeting and implementation, logistic management, funding, reporting and information-sharing. The United Nations Disaster Management Training Programme (DMTP) has begun a new series of training activities in the region for the United Nations system and national institutions, starting with Nicaragua. UNDP, in coordination with national and regional institutions, such as the Centre for Coordination of the Prevention of Natural Disasters in Central America, has been working to strengthen both national legislative and administrative systems for disaster and risk management and capacities at the local level. In Nicaragua, for example, the first Law on the Prevention and Management of Disasters has been approved and a National Executive Secretariat for Disaster Prevention established. A new national law was approved in Costa Rica, leading to the formulation of the National Plan for the Prevention of Natural Disasters and Emergency Response. In Honduras, UNDP assisted the Government in designing a capacity-building programme for risk management and disaster reduction. In El Salvador, the United Nations system worked in support of the emergency and recovery efforts undertaken in the aftermath of the earthquakes that shook the country early in 2001. PAHO and UNICEF carried out coordinated activities regarding the rehabilitation of water systems and health facilities. Work is currently being done in the areas of disaster management, prevention and response and in

the decentralization of the national emergency system and promotion of public awareness. In Guatemala, UNDP, UNICEF, PAHO, WFP and United Nations Volunteers are working together to facilitate the formulation of government polices, and to strengthen local capacity to include vulnerability and risk analysis in national and local plans.

52. ECLAC continues to provide technical assistance and supports regional and national efforts to assess the economic, social and environmental impact of natural disasters. At the request of the Prime Minister of Belize, in October 2000, it produced an assessment of the damage caused by hurricane Keith in that country. PAHO and UNICEF joined the mission. ECLAC also published an extensive report on the socio-economic and environmental impact of the earthquake that struck El Salvador on 13 January 2001. ECLAC is currently reviewing its methodology of damage assessment, and seeks to promote, in association with IDB, the management of risk both in the socio-economic and environmental dimensions.

53. The World Food Programme has strengthened cooperation between humanitarian and disaster relief assistance in the framework of the reconstruction undertaken in the wake of hurricane Mitch and other natural disasters (such as droughts and earthquakes) that have affected the Central American countries during 2001.

54. Guatemala, Nicaragua and Honduras have prepared country programmes for the next five years in which the goal is to achieve sustainable improvement in food security, taking into account the government strategies for reducing food insecurity and poverty, placing strong emphasis on fostering the role and position of women. A similar programme is being implemented in El Salvador, focusing on school feeding and disaster preparedness. Strategic alliances and partnerships with United Nations and bilateral agencies and the increased involvement of communal organizations and NGOs are of key importance in enabling assistance to be extended to the poorest among the population, complemented with other types of interventions. In this way, over 1 million of the most vulnerable persons in these four countries will benefit from WFP assistance.

55. All the countries of the Central American region have a unit for vulnerability analysis and mapping established by WFP, which is the key element for identifying those areas and populations that are most vulnerable to food insecurity, and for characterizing the food insecurity and vulnerability issues faced in each of the areas to determine whether WFP food aid will be an appropriate input to the solution and, if so, how best to use it. The information provided by the unit is shared with government entities, United Nations agencies, bilateral donors and NGOs.

56. The Central American region is characterized by recurrent disasters, climatic earthquakes, volcanic eruptions and civil conflicts that have a direct impact on the poorest populations in rural areas. The recurrent nature of these events makes it difficult for the countries and their populations to recover from one event before another strikes. The country programmes and development projects include, as one of the main objectives, enabling poor households in disaster-prone areas to invest in development activities aimed at reducing vulnerability to recurring drought, flood and deforestation by adopting soil and water conservation practices on their farms and investing in training in community initiatives for disaster preparedness and mitigation, and enhancing the disaster response capacity at the national and local level through greater participation of communities and other relevant stakeholders.

Meso-American Biological Corridor and the Central American Fund for Sustainable Development

57. During the period under review, there has been progress in the implementation of this cooperation, born in the framework of ALIDES. UNDP manages the programme which is financed through its own resources, the Global Environment Facility (GEF) Trust Funds and the Capacity 21 Trust Fund, totalling approximately $25 million in seed capital. For its part, GEF is implemented by the World Bank, UNDP and United Nations Environment Programme. The counterpart is the Central American Commission on Environment and Development. The efforts include partnerships with the Inter-American Development Bank, GTZ and USAID.

58. It is estimated that the Meso-American region, which extends from Darien, Colombia, to Tehuantepec, Mexico, comprises between 6 and 12 per cent of the world's biodiversity. The initiative aims at creating a system of corridors to protect biodiversity and mitigate the effects of climate change and also promote long-

term sustainable development of the communities living in and around the corridor system. Its innovative approach should facilitate the creation of a network of protected areas and fragile zones throughout Central America, thus helping to reduce vulnerability to future disasters.

59. Along this initiative and coordinated with it, the Central America Fund for Sustainable Development (FOCADES) is being established. FOCADES is a private entity, created by the seven Governments of the region to facilitate the financing of the environmental component of ALIDES. The Fund will enable communities, private-sector firms, non-governmental organizations and other interested groups to receive funding for their investments and programmes that incorporate an environmentally sustainable approach to further the regional environmental objectives of ALIDES.

60. UNDP/GEF seed resources will be matched by additional co-financing from the countries of the region and from cooperating agencies and institutions.

VI. Institutional aspects and management capacity

61. The devastation caused by hurricanes Mitch and Keith and the earthquakes in El Salvador have been converted by the Governments of the region and by SICA into an opportunity to work together in the framework of ALIDES and to strengthen relations with the international community. The Consultative Group meetings held in Stockholm and Madrid have allowed intense consultations prior to and during the events and in the period of follow-up. They served the purpose of highlighting the fact that Central Americans are making progress in facing their development challenges and they need generous support from the international community. The Consultative Group meetings facilitated the establishment of partnerships between donors and national and subregional counterparts, in support of the development priorities of the beneficiary countries.

62. On the basis of the Consultative Group meetings and their follow-up activities, programmes and projects have been presented and have received support. What is important is that there be an ongoing process of restructuring of the institutional setting of international cooperation at the national and subregional levels that aims at improving management efficiency and transparency and that incorporates civil society participation in decision-making. It is equally important that coordination be ensured both in the region and within the international community.